SPECIAL REPORT: STILL BATTLING A WAR ON THE WEST PAGES 10-13

Exclusive interview with Brian Bishop — page 12

Environment & Climate News

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Still wrong after all these years

Worldwatch misdiagnoses the planet again

BY RONALD BAILEY

The World Summit on Sustainable Development will convene in Johannesburg, South Africa, in September 2002. The World Summit is the 10th anniversary follow-up to the Earth Summit in Rio de Janeiro in 1992.

At the Earth Summit, ideological environmentalism achieved considerable success in advancing its agenda for reshaping the world's economy. That Summit saw the adoption of the Framework Convention on Climate Change (FCCC) and Convention on Biological Diversity (CBD), and the incorporation of the precautionary principle in international treaties.

In the 10 years since the Earth Summit, the FCCC has led to the Kyoto Protocol, which aims at setting binding (and costly) limits on carbon dioxide emissions from burning fossil fuels in order to slow projected increases in the world's average temperature. The CBD process has spawned the Biosafety Protocol, which mandates onerous and scientifically illegitimate international regulations on genetically enhanced crops and farm animals.

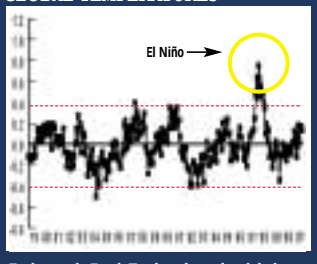
Even more worrisome is that the CBD and the new treaty on Persistent Organic Pollutants have incorporated the precautionary principle, which essentially declares that the expression of mere fears of potential harm provides enough basis to ban new technologies and products.

The Washington, DC-based Worldwatch Institute has dedicated its annual compendium of environmentalist doom and gloom, the *State of the World 2002* report, to "helping

WORLDWATCH continued on page 5

Is *this* global warming?

GLOBAL TEMPERATURES



Each month, *Earth Track* updates the global averaged monthly satellite measurements of the Earth's temperature. *See page 3*

Gov't researchers caught planting false ESA evidence

Congressman Hansen (R-Utah): "Lynx debacle calls into question everything the Fish and Wildlife Service has done for the past eight years"

BY JAMES M. TAYLOR

Congressmen from western states are calling on the federal government to mount an investigation after government researchers were caught planting false evidence of endangered species in national forests.

The fraud was discovered when a U.S. Forest Service employee informed supervisors that five federal and two Washington State researchers had planted endangered lynx hairs in areas where the animals did not exist.

The researchers were conducting a four-year study of 57 forests in 16 states to determine the extent of endangered lynx habitat and what additional steps might be taken to protect the animal.

After learning of the allegations, the Forest Service conducted tests of the allegedly planted hairs and determined the hairs matched those of a lynx living in an animal preserve and of a pet lynx belonging to a federal employee.

Dangerous hoax

Had the fraud not been exposed, the planted lynx hairs could have led to sweeping land restrictions against property owners, recreationists, and workers in the affected regions. Among the potential restrictions are bans on skiing, snowmobiling, driving, logging, and livestock grazing.

"If they hadn't been caught, you might have seen entire forests shut down on a false premise,"

LYNX continued on page 10

Bush Forest Service, federal judge further restrict logging

BY JAMES M. TAYLOR

Anti-market activist groups won two significant victories in December and January as first the Bush Forest Service, and then a federal district judge, placed new restrictions on timber recovery in the American West.

Forest Service endorses Clinton plan

Mark Rey, undersecretary of agriculture, announced on December 27 that the Bush administration would support former President Bill Clinton's plan to significantly restrict logging, cattle grazing, and recreational use in over 11 million acres of national forest in the Sierra Nevada Mountains.

Clinton issued the plan during his final week in office, along with numerous other controversial environmental measures. The plan prohibits logging of most trees larger than 20 inches in diameter throughout the 11 million acres. As a result, logging in the region, stretching from southern California northward for over 500 miles toward the Oregon border, will be limited to merely 10 percent of what was allowed in the Reagan and Bush administrations.

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Army Corps urges more natural Missouri River ...

BY JAMES M. TAYLOR

The Missouri River will become wilder and less predictable if the federal government follows recommendations of the U.S. Army Corps of Engineers. Releasing the results of a two-year study, the Corps on January 9 called for a more natural ebb and flow to the nation's longest river.

The Clinton Environmental Protection Agency had called for the study after environmental activist groups alleged dams and channels had produced a more navigable and agriculture-friendly river at the expense of regional ecosystems.

The river improvements have dramatically reduced flooding, improved the transportation of farm goods, and cleansed much of the sediment that gave the river the nickname "Big Muddy." Catastrophic floods, in particular, were a regular and feared river attribute prior to twentieth century river improvements.

Critics of the improvements, however, allege plant and animal life has suffered from the man-made changes. Among the numerous species that reside in the Missouri River basin are the endangered pallid sturgeon, least tern, and piping plover.

The debate over Missouri River dams and channels is particularly noteworthy in that it has pitted two of the most influential congressional Democrats against each other. Senate Majority Leader Tom Daschle favors a more natural Missouri River to please South Dakota's boaters and recreational fishermen. House Minority Leader Dick Gephardt, however, prefers the status quo because Missouri farmers and shipping companies depend on the river staying within its banks.

The Army Corps proposes a more natural flow but did not recommend specific changes. Indeed, the Corps has called for a moratorium on changes until it can implement a more flexible, collaborative approach to addressing Missouri River issues. The Corps seeks more input from leading scientists as well as all parties potentially affected by Missouri River changes.

Should changes to the River be made, options include tearing out existing dams, eliminating existing channels, or keeping the current improvements but releasing water in a way that mimics river flow in the river's natural state. For example, more water could be released in the spring to mimic mountain snowmelt (including a super-flow every third year or so to mimic annual variations in snowfall and snowmelt), with minimal water being released in the summer, mimicking the region's dry season. ■

... and modified Snake River dams

The Army Corps tackled another controversial river issue in a somewhat similar manner. On December 5, the Corps recommended preservation of four large hydroelectric dams on the Snake River, but called for modifications to assist endangered salmon in completing their runs up and down the river.

The four dams were built in southeastern Washington beginning in the 1960s and have provided substantial hydroelectric power to the Pacific Northwest. Each year the dams produce enough energy to power a city the size of Seattle.

Environmental activist groups, however, complain the dams harm endangered adult salmon as they make their annual run up the Snake River, and juvenile salmon as they swim downriver to the Pacific Ocean. The dams are currently outfitted with "ladders" to assist the fish past the dams.

The Army Corps considered a range of options, from keeping the status quo to completely removing the four dams. The Corps decided a middle-ground option—keeping the dams but making substantial improvements in salmon-friendly features, such as expanding and improving salmon ladders—would simultaneously serve environmental and market interests.

The Corps stated that improving ladder passage through the dams "provides increased juvenile salmon and steelhead survival and maximizes operational flexibility."

Anti-market environmental groups were unhappy that any option short of completely removing the dams was considered by the Corps. "It comes as no surprise the Corps would recommend keeping the dams and continuing to spend a heck of a lot of money to retrofit them," said Rob Masonis, acting regional director of the American Rivers in Seattle.

"The Corps decided a middle-ground option—keeping the dams but making substantial improvements in salmon-friendly features—would simultaneously serve environmental and market interests."

"This decision doesn't take dam removal off the table," warned Melissa Pease, spokesperson for the Save Our Wild Salmon Coalition.

The Army Corps recommendations will be sent to federal agencies that deal with environment issues to get feedback on the recommendations before they are released in detail to the public. ■

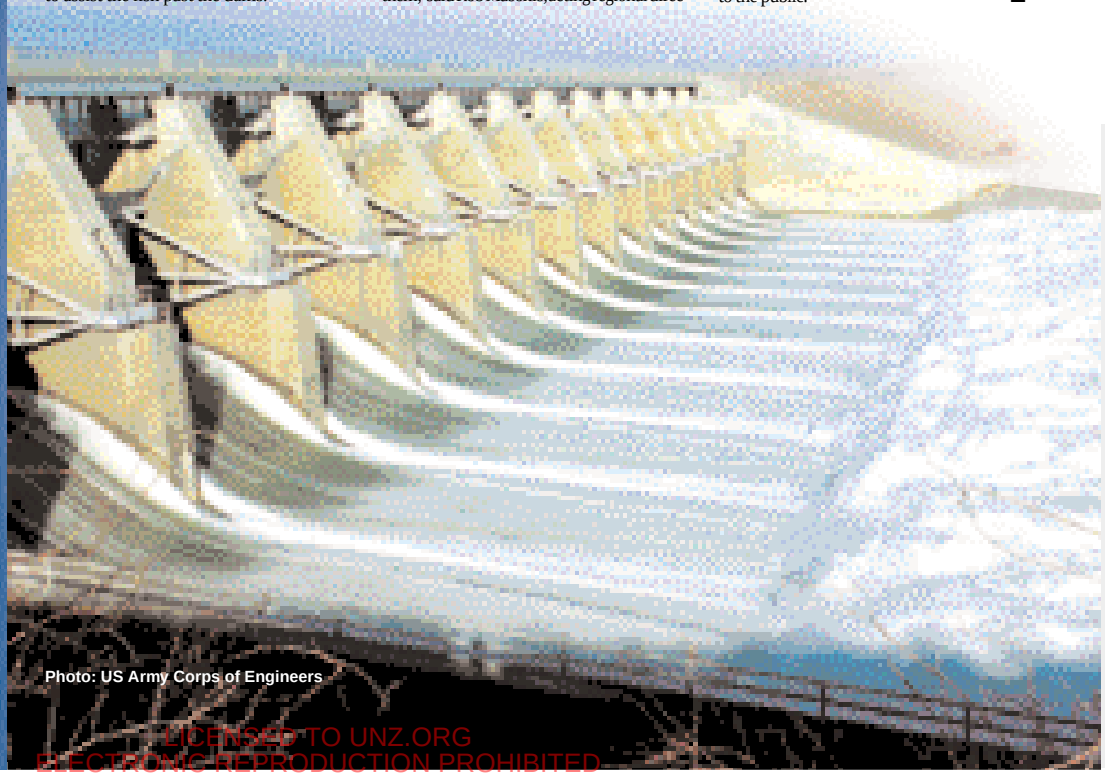

Photo: US Army Corps of Engineers

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In a sort of reverse alchemy, Senate Majority Leader Tom Daschle and others are seeking to transform America's deepest gold mine from a money pit into a science laboratory. Under the plan, the federal government would assume all environmental liability and spend nearly $300 million to convert the facility, located in the Black Hills of Daschle's home state. *Photo/Charles Nelson-Reuters*

Daschle battles environmentalists over spent South Dakota mine

BY JAMES M. TAYLOR

The battle over Missouri River water is not the only environmental issue in which Senate Majority Leader Tom Daschle is battling fellow Democrats. Daschle has angered environmental interest groups over his support for a plan for the federal government to assume all environmental liability for a gold mine in the Black Hills of South Dakota.

For the past 125 years, the Homestake Mining company has operated a gold mine in the Black Hills of South Dakota. The Black Hills are among the most venerated places in the religion of Native Americans living on the Great Plains.

After extracting 2.5 million pounds of gold from the Hills, Homestake Mining has finally exhausted its mine and is planning to close it down. Under existing Superfund law, Homestake Mining would be financially responsible for the costs of closing the mine and any future environmental clean-ups necessitated by the mine.

Daschle sides against environment

However, Peter Robertson, a partner in the Patton Boggs law firm and chief of staff of former President Clinton's Environmental Protection Agency, lobbied on behalf of Homestake Mining for a plan absolving it of major closing costs and environmental liability.

According to the plan, the federal government would assume all costs related to the closing of the mine, assume all future liability for mine-related environmental issues, and spend nearly $300 million to convert the mine into a government science laboratory. Overall, industry observers expect the cost of the legislation could reach $1 billion over the next decade alone.

Congressional Democrats have generally opposed any legislation that limits damages companies must pay for environmental damage. Daschle, moreover, has made headlines for his combative stand against pro-growth programs, a position he shares with anti-market environmental interest groups.

Nevertheless, Daschle is the chief sponsor of the legislation that would let the South Dakota mining company off the hook. The measure was tacked onto the 2002 appropriations bill for the Defense Department, of all agencies.

Daschle argued the legislation would create an economic boon to the small town of Lead, South Dakota, and would further the advance of science. Environmental activists and Republican congressmen were not so sure.

Costly "sweetheart deal"

"This legislation is a huge gift to Homestake," said Jay Tutchton, a lawyer for EarthJustice. "It makes some sense as a local economic stimulus. But there are probably cheaper ways to stimulate the economy."

Regarding environmental liability alone, "Homestake is getting off the hook for $30 million to $40 million of potential liability," said Tutchton, "based on the experience of adjacent mines that were closed and became Superfund sites."

"Senate Majority Leader Tom Daschle is battling fellow Democrats over his support for a plan for the federal government to assume all environmental liability for a gold mine in the Black Hills of South Dakota."

Representative Sherwood Boehlert (R-New York) questioned why Daschle would remove liability for a South Dakota gold mine after so vehemently opposing business and economic interests on virtually all other environmental matters, including the nation's energy needs and the location of army bases.

"This bill," said Boehlert, "could saddle taxpayers with costly and unprecedented environmental responsibilities. The federal government will be financially responsible for activities it did not undertake at a piece of property it does not control."

The legislation, Boehlert added, is "a sweetheart deal for the Canadian company that owns Homestake and for the state of South Dakota."

Representative Dick Armey (R-Texas) found it odd that Daschle opposed limits on lawsuits brought by the victims of future terrorist acts, but supported limits on lawsuits brought against South Dakota mining interests.

"You have Senator Daschle feigning moral outrage over limitations on liability in antiterrorism insurance," said Armey, "yet he comes right back on behalf of a special interest in his home state and says, 'I want liability limitations.'"

Proponents of the legislation argue scientific interests justify the costly federal program. Once again, not all parties agreed.

Curt Suplee, a spokesperson for the National Science Foundation, expressed concern the Foundation might have to contribute to the costs of cleaning up prior environmental damage at the mine. Moreover, said Suplee, many other projects have been reviewed and approved by the Foundation but have been waiting for years to receive their funds. Scientists on these other projects will be puzzled, he said, to find their programs are once again put on the back burner while Daschle's friends "jump ahead" of them. ■

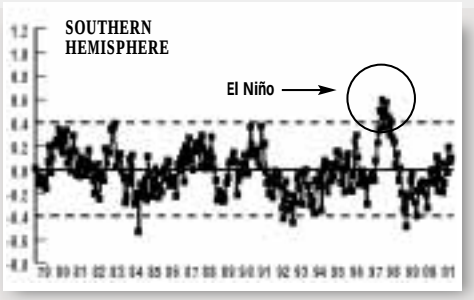
EARTH TRACK

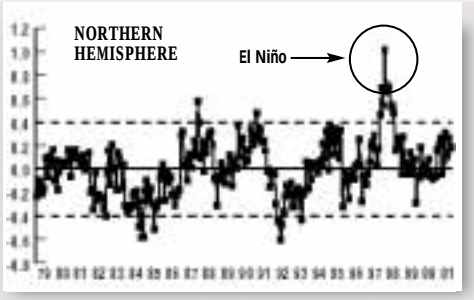
DECEMBER 2001

The global average temperature for December, shown on page 1, was 0.14˚C above normal. The Southern Hemisphere's temperature departure, shown below, was 0.09˚C above normal; the Northern Hemisphere's, below right, was 0.18˚C above normal.

Each month, Earth Track *updates the global averaged monthly satellite measurements of the Earth's temperature. These numbers are important because they are real—not projections, forecasts, or guesses.*

Global satellite measurements are made from a series of orbiting platforms that sense the average temperature in various atmospheric layers. Here, we present the lowest level, which climate models say should be warming. The satellite measurements are considered accurate to within 0.01°C.





The data used to create these graphs can be found on the Internet at *http://vortex.nsstc.uah.edu/data/msu/t2lt/t2ltglhmam.d.*

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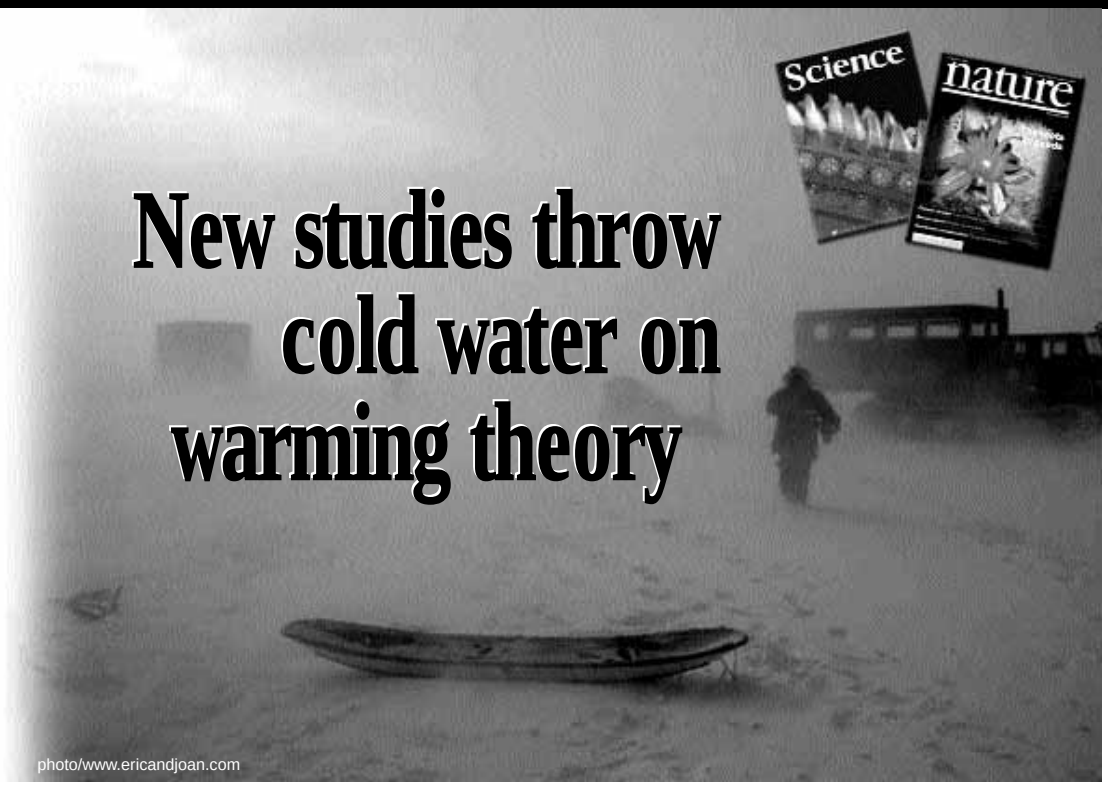

New studies throw cold water on warming theory

BY JAMES M. TAYLOR

Two major new studies, as well as temperature readings from precise satellite measurements, have produced strong new evidence the Earth is not warming. The new information has sent global alarmists into confusion and has vindicated prior studies long ignored by the mainstream media.

Nature study shows dramatic Antarctic cooling

On January 14, *Nature* magazine published the results of a comprehensive study, involving all regions of the Antarctic continent, revealing that Antarctica has been cooling, dramatically, for the past 20 years.

Prior reports of an Antarctic meltdown had been largely based on temperature readings on a small peninsula where most Antarctic science stations are located. However, the new study's authors began to suspect warming on the peninsula was a localized phenomenon, caused by a recent change in regional wind and sea patterns, when visits to other parts of the continent showed no sign of warming.

"A lot of people [co-authors] in the paper have been working in the valleys since the mid-'80s, and at first it seemed that lake levels were going up," reported Peter Doran, a University of Illinois at Chicago scientist and lead author of the study.

"But two or three years ago, when we were waiting for the big summers, we noticed that they didn't come. We were thinking that warm summers were the norm, and we were saying, 'It's going to get back to normal,' but it never did."

The authors then began analyzing long-standing temperature data recorded throughout the continent, weighing all areas equally, rather than giving undue weight to the temperatures on the isolated peninsula, as had been done in the past. The results showed that as a whole, Antarctica is cooling rapidly.

Just how much, and just how rapidly, has Antarctica been cooling? The study found that temperatures across the continent have dropped an average of 0.125 degrees Fahrenheit per year, or 1.2 degrees Fahrenheit per decade, since 1978.

The data are particularly stunning in that the rate of cooling dwarfs the rate of global warming predicted by even the most alarmist advocacy groups. Moreover, all computer models loaded with global warming assumptions agree the polar regions should warm much more rapidly than the rest of the globe.

"A drop in Antarctic temperatures is a puzzle because most climate models suggest that polar regions should respond first and most rapidly to worldwide temperature changes," explained science correspondent David Derbyshire of the *London Telegraph*.

The study noted a cascade of ecological problems triggered by the pronounced cooling. The number of small organic soil organisms is falling by 10 percent every year. Biological productivity in ice-covered freshwater lakes is declining at 9 percent per year.

"The decline is alarming," said study coauthor Diana Wall of Colorado State University. "These cooling repercussions may have a long-term effect. There is very little diversity here and the life cycles of these invertebrates is very slow."

Science reports Antarctic ice sheet growing

Just three days after the *Nature* study was released, *Science* magazine published results of a study concluding that the West Antarctic Ice Sheet has not only stopped melting, but is growing again.

Using precise satellite measurements, a team of California Institute of Technology scientists working at the NASA Jet Propulsion Laboratory found "strong evidence of ice-sheet growth."

The ice sheet has been steadily melting since the end of the last ice age roughly 10,000 years ago. Although very little of the overall melting has occurred since the dawn of the industrial age, a flurry of news reports in recent years has speculated that human-induced global warming will cause the thinning ice sheet to break off from the Antarctic continent and inundate the world's shorelines with a drastic rise in sea levels.

The thickening represents a reversal of the ice sheet's longstanding retreat, say researchers Ian Joughin and Slawek Tulaczyk, who authored the study. The thickening also throws cold water on the findings of British researchers, widely reported last December in the mainstream media, that the ice sheet has a 5 percent chance of breaking off in the next 200 years.

"Perhaps, after 10,000 years of retreat from the ice-age maximum, researchers turned on their instruments just in time to catch the stabilization or re-advance of the ice sheet," observed Pennsylvania State University's Richard Alley, who wrote an accompanying commentary to the *Science* article.

Once again, the Joughin/Tulaczyk findings are particularly noteworthy because global warming alarmists agree the polar regions will be the first to see pronounced heating in a global warming environment. The thickening of the West Antarctic Ice Sheet confirms the findings of the *Nature* study, reported above, that Antarctica is not only failing to warm, but is in fact cooling at a significant rate.

Satellites report a very average year

Even as the *Nature* and *Science* studies were being released, data from precise satellite readings of the Earth's lower atmosphere showed the year 2001 was a very average year for global temperatures.

In mid-December, the United Nations weather agency reported 2001 was the second-warmest year since global records began being kept 140 years ago. The news was trumpeted by the mainstream media as still further evidence of global warming.

However, the temperature readings were collected from ground stations, located in or near growing cities. The more cities grow around temperature reading stations, the more the stations produce false warming data.

The precise satellite data, collected from the entirety of the Earth's lower atmosphere, showed 2001 was only the 9th warmest (and also the 15th coolest) year since satellite measurements began in the 1970s. Moreover, the 2001 readings confirmed prior satellite data indicating no appreciable warming has occurred since the 1970s.

With all the new data directly contradicting global warming theory, *Nature* study author Peter Doran summarized the global warming alarmists' state of mind. "We've sort of hit a point where we're a little confused." ■

Japan withdraws from Kyoto treaty

The Japanese government began the new year by shocking observers with the news it will not abide by the Kyoto protocol.

The *Yomiuri Shimbun* newspaper reported, "Domestic measures to reduce greenhouse gases in line with the Kyoto Protocol, which the government wants to ratify early next year, are making slow progress in the face of opposition from industrial and other circles."

As a result, reports the *Shimbun*, "The Central Environment Council, a government advisory body, has said in a report that, for now, industries will not be given any regulations to follow and, instead, will be allowed to combat gas emissions on a voluntary basis."

Japan's withdrawal "has been prompted largely by the decade-long stagnation in the Japanese economy, resulting in growing unemployment and lack of economic growth," reported Australian climate expert John Daly.

"According to reports, Japanese CO_2 emissions are already 17% over their 1990 level, with a protocol commitment for a 6% *cut* on that 1990 level," Daly added. "To enforce such a cut now would be to effectively put the entire Japanese economy into crash reverse—and during a recession."

Observed Emeritus Professor Philip Stott, of the University of London, "This sadly was inevitable. The Kyoto Protocol has always been flawed scientifically, but even more so economically and politically."

> **"The Kyoto Protocol has always been flawed scientifically, but even more so economically and politically."**
>
> PHILIP STOTT
> EMERITUS PROFESSOR
> UNIVERSITY OF LONDON

"I suspect other countries will soon emulate Japan, such as Canada and Australia," added Stott. "The real need is to maintain and to develop strong economies that can adapt to whatever change comes, hot, cold, dry or wet." ■

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WORLDWATCH continued from page 1

define the agenda for the World Summit." So what's on the agenda?

Among other things, Worldwatch wants to corral the United States into the Kyoto Protocol, encourage the widespread adoption of organic farming, and expand the reach of the precautionary principle.

Costly Kyoto

The Kyoto Protocol would require the United States to cut the burning of energy-producing fossil fuels by around 25 percent of its projected 2012 level of consumption.

Although the Worldwatch Institute treats global warming predictions as certain, satellite temperature measurements of the globe show far less warming than predicted by the climate computer models relied on by the activists. Extrapolating satellite measurements, it appears that the globe's average temperature might increase by as much as 1 to 1.5 degrees centigrade over the next 100 years. Such an increase would not be an environmental disaster—but implementing deep immediate cuts in fossil fuel use could well be an economic one.

How costly is the Kyoto Protocol? Estimates vary, but an analysis published in *Science* in November 2001 concluded adopting the Kyoto Protocol would cost the United States as much as $125 billion annually.

In addition, Worldwatch activists well know Kyoto is just the first cut. The reductions mandated by that agreement would decrease potential global warming by an undetectable one-tenth of a degree centigrade over the next century. To stabilize carbon dioxide levels in the atmosphere would require that fossil fuel consumption be reduced by 70 to 80 percent.

Unproductive agriculture

Perhaps the most quixotic policy advocated by Worldwatch is the promotion of organic agriculture.

Organic agriculture is generally only about two-thirds as productive as conventional modern agriculture. To raise organically the amount of food we now grow through other means would require plowing down 50 percent more land. That would clearly mean converting more wildlands like forests, wetlands, and grasslands into farms—hardly an environmentally friendly prospect.

Organic agriculture requires organic fertilizer (animal manure), of which supplies are limited. There is only about one-sixth the amount necessary to sustain food production at current levels if we went all organic. Moreover, organic doctrine also forbids farmers from planting genetically enhanced crops. Organic farmers must forego "no-till" agriculture, which prevents 90 percent of soil erosion by using herbicide-resistant crops so that farmers don't have to plow to control weeds.

Conventional agriculture using pesticides and fertilizers has nearly tripled global food production in the last 50 years. Food is cheaper and more abundant now than ever before in history. Dennis Avery, director of the Center for Global Food Issues at the Hudson Institute, notes, "One continent, Africa, practices organic farming, and it is the only continent in which hunger is increasing."

Sustainable development is often defined as "ensuring that human needs are met in a way that protects the natural environment without undermining the prospects of future generations." Organic agriculture is almost the opposite of sustainable development.

Misplaced precaution

Worldwatch is still promoting one of the hoariest dogmas of ideological environmentalism: that modern synthetic chemicals like plastics and pesticides are reducing average lifespans through epidemics of cancer.

> **"At the Earth Summit [in Rio de Janeiro in 1992], ideological environmentalism achieved considerable success in advancing its agenda for reshaping the world's economy."**

That doctrine, popularized by Rachel Carson in her influential book *Silent Spring* in 1962, remains a bedrock tenet of environmentalism even though decades of scientific research have never shown it to be true. Worldwatch still maintains that breast cancer is increasing and sperm counts are declining because of exposure to synthetic chemicals, although there is no epidemiological evidence for those assertions. In fact, epidemiologists conclude that, at most, 2 percent of all cancers can be attributed to exposure to man-made substances.

To control synthetic chemicals, the Worldwatchers want participants at the upcoming World Summit to broaden the reach of the "precautionary principle," which would require manufacturers to prove their products are completely safe before they would be allowed to sell them.

The precautionary principle fails utterly to acknowledge that while there are risks in technological innovation, there are also risks in technological stagnation. In fact, history clearly shows the balance of risks favors technological innovation over the harm-prevention strategy embodied in the precautionary principle. Since the advent of modern chemicals—and whatever risks they pose—in the 1920s, the average American's life expectancy has increased by 20 years.

Population surrender

There is one bright note in this 19th edition of the *State of the World*. Earlier volumes in the series regularly forecasted imminent global famine, but this year's chapter on population issues is much less alarmist.

The new tone may be the result of the departure of the Institute's doomster-founder Lester Brown. Or it may just be this group of activists can no longer ignore demographic and economic reality, which shows many population trends are positive. Worldwatch now recognizes that if current trends continue, world population will likely peak at between 7.9 and 10 billion in the next 50 years.

Also, Worldwatchers are apparently beginning to understand that poverty, not population, is the chief source of environmental harm. The vision of a crowded, resource-depleted world, promoted by early environmental fundamentalists, may at long last now be fading.

Unfortunately, they do not show any understanding of how economic growth fueled by free markets, secure property rights, and expanding global trade is essential to alleviating poverty and protecting the natural world. ■

Ronald Bailey is science correspondent for Reason *magazine and the editor of* Earth Report 2000: Revisiting the True State of the Planet *(McGraw-Hill).*

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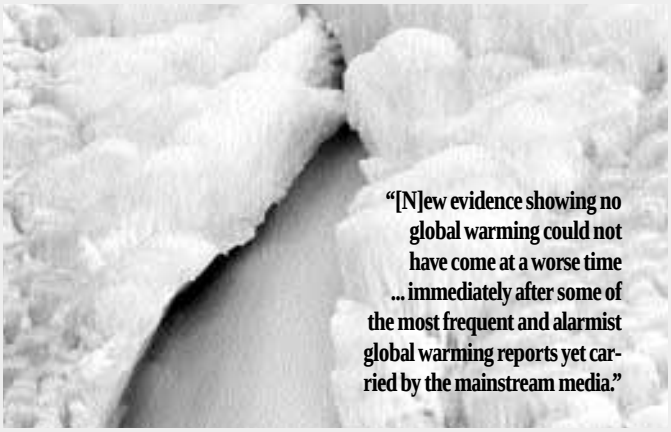

"[N]ew evidence showing no global warming could not have come at a worse time ... immediately after some of the most frequent and alarmist global warming reports yet carried by the mainstream media."

For advocates of global warming theory, new evidence showing no global warming could not have come at a worse time. The *Science* and *Nature* studies, and corroborating new satellite data, came immediately after some of the most frequent and alarmist global warming reports yet carried by the mainstream media.

On December 10, the lead sentence of a *New York Times* story proclaimed, "Antarctica appears to be melting and contributing to the slow rise in the oceans."

On December 19, an Associated Press article trumpeted that "World Meteorological Organization (WMO) officials ... called [recent temperature speculations] more proof of global warming caused by humans. They said the warming temperatures led to an increase in the severity and frequency of storms and droughts and other unusual weather conditions."

The AP quoted a WMO official as saying, "Temperatures are getting hotter, and they are getting hotter faster now than at any time in the past."

Also on December 19, *ScienceDaily* reported, "Records show that average winter temperatures are 10 degrees higher in parts of Antarctica today than they were 50 years ago. If that warming trend continues, say many climate experts, the vast Antarctic ice sheets could melt, causing catastrophic coastal flooding as the world's oceans rise."

ScienceDaily continued, "Ironically, say researchers, the most pristine continent on Earth is heating up primarily because of increased greenhouse gas emissions from cars, power plants, and other human endeavors elsewhere on the planet."

The *New York Times* on December 23 explained a recent, localized warm spell as "It's global warming, dude," in the words of an interviewee. The article favorably quoted opinions that "I think the debate over whether climate is going to change is over" and "it was especially significant that 2001 had proved so warm."

'Tain't necessarily so

And yet the month had not even closed when more significant reports began streaming in that global warming has in fact failed to occur.

Western Europe spent the middle of December trapped in one of the worst cold spells in memory.

On December 20, Melbourne, Australia eclipsed the record for the longest wait for its first 30˚ Celsius (86˚ Fahrenheit) summer day. By failing to reach 30˚ by December 20, Melbourne broke a record that was set all the way back in the Little Ice Age.

On January 4, southern Europe was hit with almost unprecedented winter storms.

On January 8, the Arab Middle East, of all places, was hit with a rare blizzard, causing more than a foot of snow to fall in places like Jordan and Iraq.

Although the *New York Times* and the rest of the mainstream media failed to give any of these stories the same coverage it gave New York City's "It's global warming, dude," mild December afternoon, the press could not subsequently ignore the *Nature*, *Science*, and satellite data. (See "New studies throw cold water on warming theory.")

Showing newfound restraint after sounding the alarms regarding anecdotal and inaccurate reports of global warming all through the month of December, the media in January repeatedly cautioned, in the words of Michael Oppenheimer of Environmental Defense, "I'd be very careful with this ... there is simply not enough data to make a broad statement" about the recent temperature data. ■

FOR MORE INFORMATION

WWW Ron Bailey's *Earth Report 2000* is available for $13.96 on Amazon.com. For quickest access, point your Web browser to **http://www.amazon.com/exec/obidos/ASIN/0071342605/theheartlandinst**.

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Enron backed emissions trading

Republicans rebuffed Enron's attempt to push back-door implementation of Kyoto Protocol

BY DUANE D. FREESE

Democrats hope to link the Bush administration with the Enron debacle.

Democratic National Committee spokesperson Jennifer Palmieri crows: "Enron now becomes shorthand for Democrats trying to convey to the American people the irresponsible way that the Bush administration ... puts special interests above those of the average American."

Despite the campaign cash and conversations that link Enron and the Bush administration, the facts thus far show the administration did nothing for Enron, other than lend it its ear. Still, Washington being what it is, guilt by association might be enough to dog the administration for a while.

If only guilt by association applied as much to bad ideas as it seems to apply to individuals who've yet to be found guilty of anything. Then the nation would never have to fear one of Enron's biggest schemes would ever come to fruition.

Link to Democrats of more concern

Indeed, it was Democrats who pursued the one policy that the natural gas supplier, pipeline company, and electricity trader considered most important: emissions trading. Emissions trading became a big issue when Vice President Al Gore negotiated the Kyoto Protocol back in 1997. The international plan designed to combat climate change called for cutting emissions of carbon dioxide to 5 percent below 1990 levels worldwide by 2012. The United States, under the Kyoto strictures, would have had to make cuts of 7 percent.

Scientifically, some of the relevant facts are still murky. Vital to life on Earth as a nutrient in the air and to keep the Earth from freezing, CO_2 is produced naturally. And climate theories hold that burning fossil fuels increases CO_2 concentrations in the atmosphere and will raise temperatures over time. How much and to what ill effect is a matter of tremendous dispute. Many scientists say natural climate variability overshadows anything man can do to shape the weather.

> **"Despite the campaign cash and conversations that link Enron and the Bush administration, the facts thus far show the administration did nothing for Enron, other than lend it its ear."**

Economically, the facts are clearer. Kyoto was a bad deal from the start. Estimates by the Energy Information Administration put its annual cost to the U.S. economy at $300 billion.

Despite the economic burden, the Clinton administration bought into Kyoto alarmism hook, line, and sinker despite little public support for the treaty in the United States. Emissions trading was a way to drum up some support by those industries that could take advantage of it.

In simple form, emissions trading would have worked like this: A company with lower emissions than it was permitted under the caps set by its government—or a country that had lower emissions than allowed by the Kyoto accord—could market its extra allowance to those who exceeded their permit levels.

Emissions trading and Enron

And who stood to benefit from this cap-and-trade system, as it is dubbed? Enron.

"Enron stood to profit millions from global warming energy-trading schemes," said Mike Carey, president of the Ohio Coal Association and American Coal Coalition.

How? Michael W. Lynch described in *Reason online* how cap-and-trade would have worked as regulatory "rent seeking." Coal-burning utilities would have had to pay billions for permits because they emit more CO_2 than do natural gas facilities. That would encourage closing coal plants in favor of natural gas or other kinds of power plants, driving up prices for those alternatives. Enron, along with some other key energy companies in the so-called Clean Power Group—El Paso Corp., NiSource, Trigen Energy, and Calpine—would make money both coming and going ... from selling permits and, then, their own energy at higher prices.

As for the environment, as Robert Crandall of the liberal Brookings Institution and Fred L. Smith of the libertarian Competitive Enterprise Institute wrote in the *Wall Street Journal* last summer: "How could anyone know whether Chinese or Russian plants were actually curtailing emissions? Since a Kyoto-style program would create a massive value in CO_2 suppression—by some estimates more than $2 trillion—the incentives to cheat would be enormous."

So, when Bush rejected the Kyoto protocol, the administration stuck a stake in the very scheme that an Enron internal memo had declared, according to the *Washington Post*, would "do more to promote Enron's business than almost any other regulatory initiative outside of restructuring the energy and natural gas industries in Europe and the United States."

Democrats, many of whom also accepted donations from Enron officials for their campaigns, and the media, too, need to beware pressing claims of guilt by association. That's especially so since, in the case of Democrats, many of them favored actions that would have profited Enron enormously.

In the meantime, it would be no bad thing if Enron's association brings an end to cap-and-trade schemes designed to make the flawed Kyoto Protocol the law of the land.

Duane D. Freese is a columnist with TechCentral Station (http://www.techcentralstation.com), where this article first appeared.

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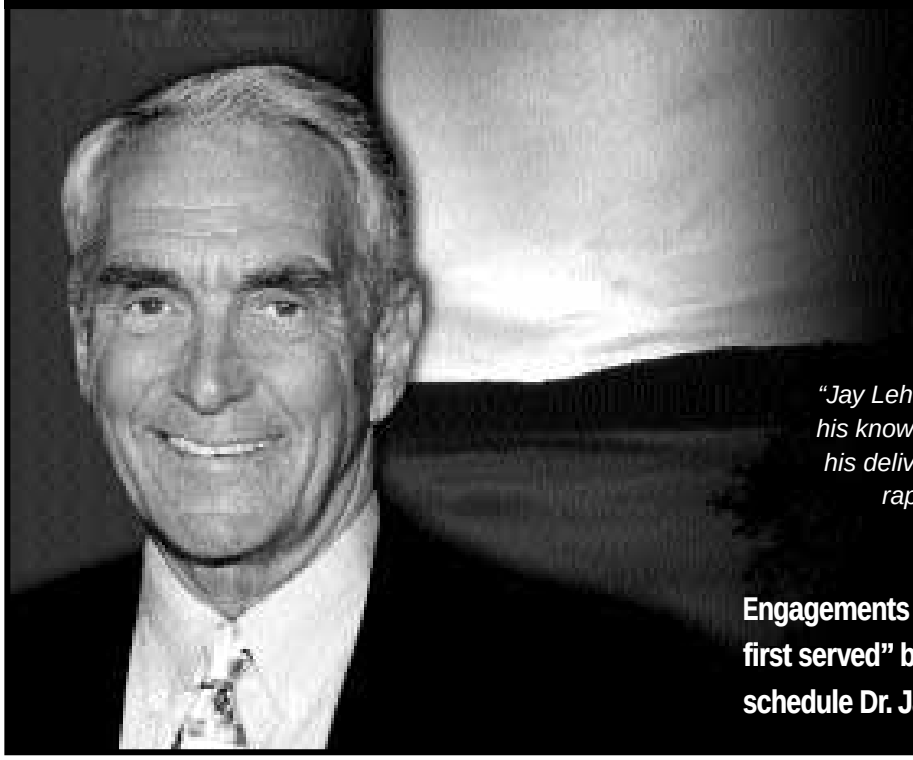

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Skeptical Environmentalist savaged, vindicated

Radical environmentalists respond to threat to their government funding

BY PATRICK MICHAELS

Scientific American has sicced the big dogs on Danish statistician Björn Lomborg for having the audacity to publish a highly referenced book, *The Skeptical Environmentalist*, which argues global warming and many other environmental "threats" are overblown. What gives?

Scientific American now joins the magazines *Science* and *Nature* in blasting Lomborg. They all editorialize that his "book is a failure" and call out four well-traveled attack dogs from the Washington big government/green/left establishment in support. They include:

- John Holdren, a defense expert from Harvard. In 1995, he published a paper for the United Nations University advocating "a condition in which no nation's military forces were strong enough to threaten the existence of other states." Good thing the West didn't listen.
- Tom Lovejoy, former director of the World Wildlife Fund, the biggest green lobbying organization in the history of the planet.
- John Bongaarts, vice president of the Population Council, the most influential lobby in the down-with-people crowd.
- Steve Schneider from Stanford. Compared to the rest, Schneider is a real atmospheric scientist, and (naturally) he wrote the nastiest of the four denunciations on Lomborg.

A threat to climate change research dollars

Clearly, the editorial boards of *Nature* and *Scientific American*, as well as the leadership of the American Association for the Advancement of Science (AAAS, the publisher of *Science*) perceive a big threat if Lomborg goes unanswered.

The Skeptical Environmentalist threatens billions of taxpayer dollars that go into the global change kitty every year. The AAAS isn't located on H Street in Washington—known locally as "gravy train lane" for its packs of lobbyists—for nothing.

Do the arguments against Lomborg have merit? Let's examine two of the many assertions made by Schneider against Lomborg.

Emissions scenarios. Schneider complains that "Lomborg ... dismisses all but the lowest" scenarios for future carbon dioxide emissions and consequent global warming.

Lomborg does so with good reason. An analysis of atmospheric carbon dioxide concentrations over the last quarter-century reveals the standard assumption of strong exponential growth is wrong. You could read about that in NASA scientist James Hansen's recent writings in the "Proceedings of the National Academy of Sciences."

Future warming. Schneider takes great exception to Lomborg's statement that "temperatures will increase much less than the maximum estimates from the IPCC," with the likely change less than 2˚C by 2100.

The truth is that Lomborg is behaving like a scientist here, and Schneider and *Scientific American* don't like the result.

As is shown in the latest report by the United Nations Intergovernmental Panel on Climate Change, the ensemble of future climate models predicts a warming that, once started, continues at a virtually constant rate for the next century. However, they differ in the rates of their projected warming.

It is also the consensus of the IPCC, first stated in 1996 and repeated in 2001, that "the balance of evidence suggests a discernible human influence on global climate." In other words, alterations of the atmosphere resulting from human emissions are producing a detectable signal in global and regional temperatures.

By using the combination of those two realities, Lomborg is forced to conclude warming will be relatively modest. That is all a scientist can do: reconcile disparate models with observed data.

The truth hurts

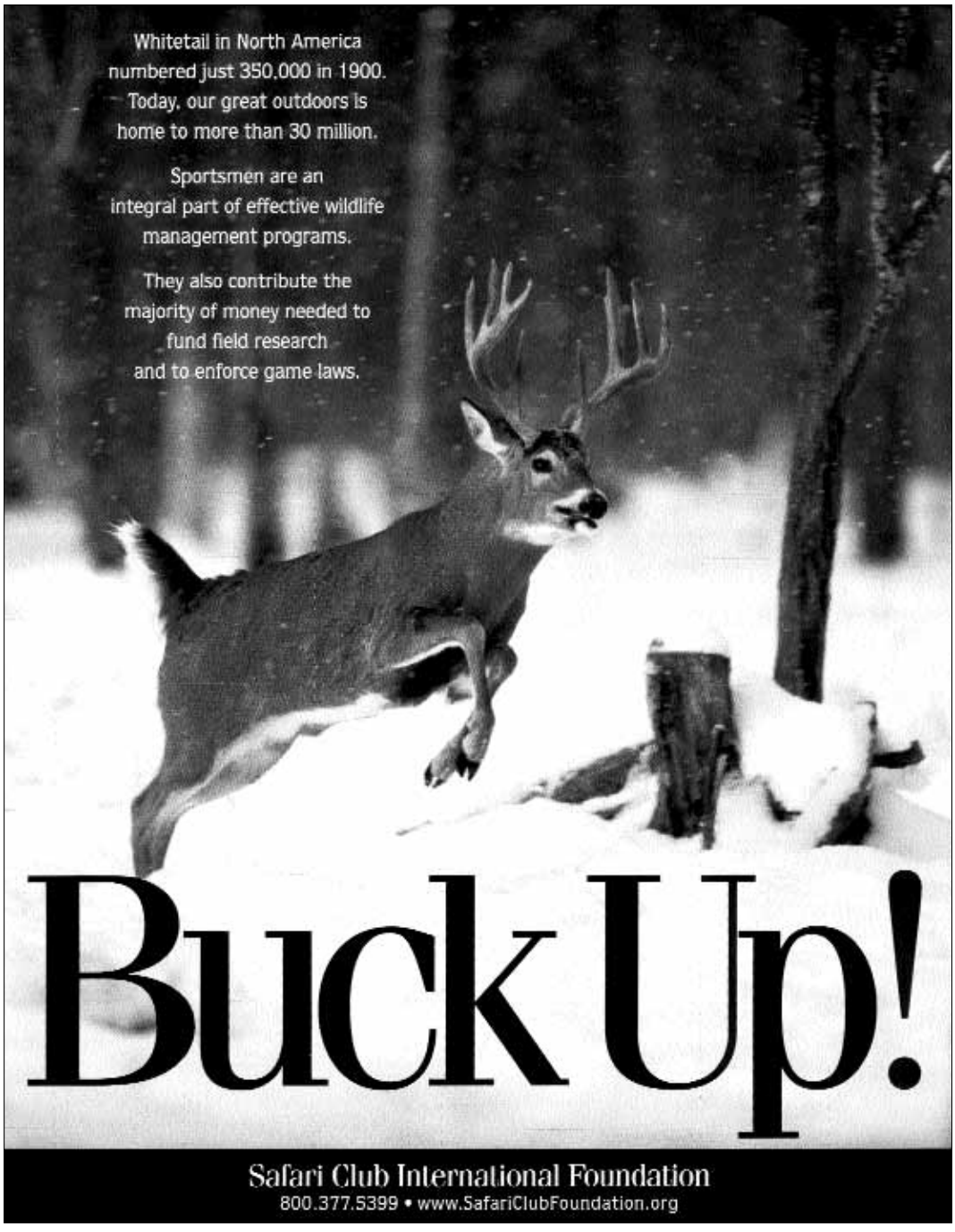
The reason *Scientific American* is apoplectic about that argument is that it is scientific and convincing. If it convinced the Bush administration to walk away from Kyoto, how long will it be before it convinces Congress to derail the multibillion-dollar gravy train feeding the global warming claque?

Then there's the jealousy component. Each of *Scientific American*'s four writers also has his own book. While Lomborg's is immensely popular, ranking #1 in sales under "Environmental Science" (and 354th overall), the others aren't so hot.

Comparative sales from Amazon.com for January 4 show the following: John Bongaarts' *Beyond Six Million* ranks 463,784; Tom Lovejoy's *Blueprint for a Green School* is at 583,463; Schneider's *Are We Entering the Greenhouse Century* comes in at 574,469; and trailing this field of glueboxes is John Holdren's *Global Ecology*, the 1,340,727th best-selling book at Amazon.com.

If these were horses, you'd have to clock them with a calendar. ■

Patrick J. Michaels is a senior fellow at the Washington-based Cato Institute and coauthor of The Satanic Gases.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White House revising Clean Air rules

BY JAMES M. TAYLOR

White House officials spent the first month of the year putting together proposed changes in rules enforcing the Clean Air Act. As a blueprint of the final rules began to take shape, Democratic lawmakers and several attorneys general of northeastern states threatened hearings and lawsuits.

The Clean Air Act of 1970, in addition to imposing stringent clean air requirements on factories constructed after passage of the Act, requires older plants to install the most modern anti-pollution equipment when they expand their facilities and create new sources of pollution. Twenty-eight years after passage of the Act, the Clinton administration began interpreting this "new source" provision more strictly than any previous administration. Most importantly, the Clinton administration began interpreting routine factory maintenance as sufficient activity to trigger companies' obligation to install expensive new equipment in preexisting plants.

Dan Riedinger, a spokesperson for the Edison Electric Institute, likened the Clinton interpretation to forcing a car owner who is buying new tires to also buy a new engine. If the same owner bought a new fan belt a week later, and engine technology had advanced during the week, the owner would have to buy still another new engine.

As a result of the Clinton administration's more stringent interpretation of Clean Air Act rules, companies have been reluctant to perform necessary maintenance in their plants. The decline in routine maintenance has led to decreasing efficiency and greater pollution emanating from current equipment.

Clarifying the rules

The Bush administration proposes to codify exactly what types of activities would be considered mere maintenance and what types would trigger new equipment obligations. Democratic congressmen and the attorneys general for several northeastern states are threatening to initiate congressional hearings and launch federal lawsuits if the Bush rules in any way modify the Clinton interpretations.

"Polluters are supposed to reduce their emissions as time goes by, not increase them," said Senator James Jeffords (I-Vermont). "The administration should consider itself put on notice that it will be held accountable."

Senator Patrick Leahy (D-Vermont), who threatened to co-chair Senate hearings with Jeffords, praised the changes imposed under former President Clinton. Leahy also expressed approval of the multitude of lawsuits the Clinton administration launched against private companies after changing its interpretation of the Clean Air Act rules. "It would be a great injustice to the public for the Bush administration to irresponsibly reinterpret that historic legal action," Leahy said.

Replied Joel Maness, an executive with Sunoco, "We've been operating under the Clean Air Act for 20-plus years and we thought we were doing everything just right. We're saying tell us what the speed limit is and we'll follow it."

Bill Harnett, an EPA official, agreed. "One of the fundamental problems is that people don't understand what the rules are. That is something we are focused on, to make sure that the changes would help bring some clarity."

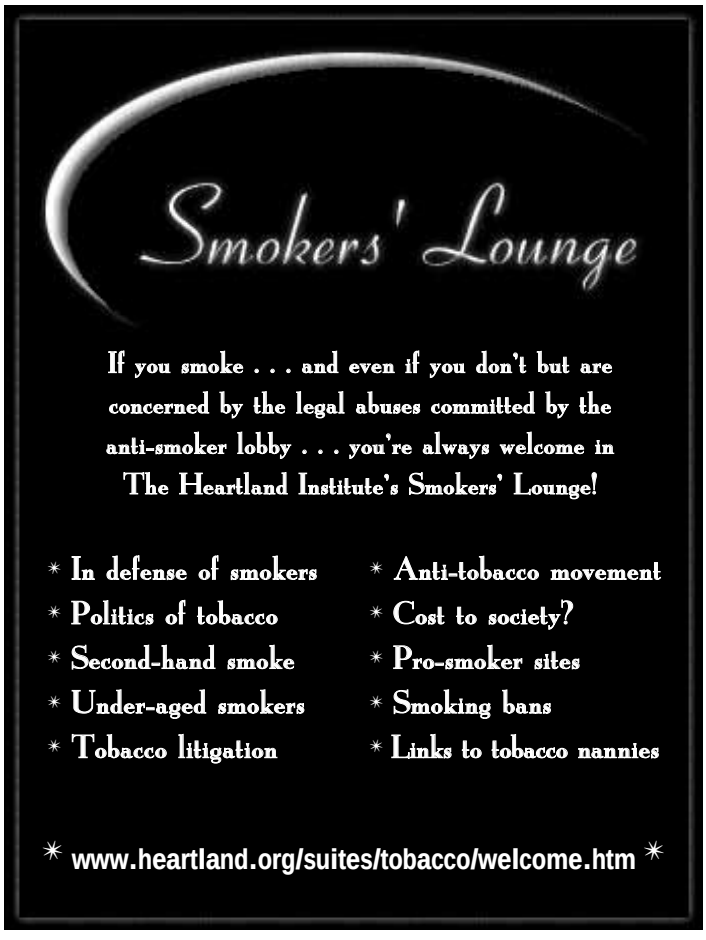
Close to the vest

Christie Whitman and the Environmental Protection Agency are reported to favor the more stringent Clinton rules, while Spencer Abraham and the Energy Department prefer the pre-Clinton interpretation. White House officials have indicated the new rules would relax the standards imposed by Clinton ... but by how much is still being discussed.

"It's purely speculation on anyone's part to assume they know what's in it," said White House spokesperson Claire Buchan. "No final decisions have been made."

Eliot Spitzer, Attorney General for the State of New York, wasn't waiting for the final decisions to be made. "We will, absolutely, go to court to forestall these rules and regulations," said Spitzer. ■

"It's like forcing a car owner who is buying new tires to also buy a new engine. If the same owner bought a new fan belt a week later, and engine technology had advanced during the week, the owner would have to buy still another new engine."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Spitzer's New York smog

BY STEVEN MILLOY

New York Attorney General Eliot Spitzer claims the Bush administration is verging on a "wholesale weakening of the Clean Air Act." In fact, Spitzer is the real threat to New York's air quality.

The administration is considering the revision of some complicated rules that govern how coal-fired power plants may be modernized. Under the federal Clean Air Act, certain upgrades trigger a requirement that power plants install costly pollution-control equipment.

Spitzer, eight other attorneys general from Northeast states, and Senate Democrats vow a challenge if the rules are eased to allow plants greater flexibility to upgrade without adding equipment to cut air pollution.

They say a rules-easing will mean more air pollution wafting from Midwest power plants to Northeast states, making it more difficult for the states to meet stiff federal air quality standards.

Under the Clean Air Act, failure to attain those standards threatens the states' access to the federal piggybank: It lets the feds withhold highway construction money.

"It is unprecedented that the federal government would undercut the laws that are necessary to our objective—clean air and clean water," said Spitzer. "We will absolutely go to court to forestall these wholesale changes to the Clean Air Act, and we will act together."

Not what it seems

It seems like perfectly reasonable, if not downright righteous, chest-thumping—except that it's not.

In the 1990s, the U.S. Environmental Protection Agency commissioned a group of experts to study the phenomenon of so-called "ozone transport"—air pollution emissions from Midwest sources that supposedly contribute to Northeastern smog. And the Ozone Transport Assessment Group (OTAG) reported in 1997 there was scant evidence air pollutants from the Midwest measurably affected air quality in the Northeast.

Midwest air pollutant emissions may contribute to local air quality problems, OTAG noted. But beyond 100 to 200 miles, air pollutants are dispersed. OTAG found no evidence of a measurable air quality effect 300 to 500 miles away from the Midwest sources.

So why are Spitzer & co. saber-rattling over rule changes that won't affect Northeast air quality?

Because the proposal offers a great opportunity to rampage as an environmentalist—using the Republican Midwest as the punching bag—without any political cost at home.

Actually improving air quality means limiting industrial and business expansion; cracking down on existing industrial, automobile, and truck emissions; improving mass transit; and pressuring employers and employees to reduce commuting.

Such actions are politically painful. Spitzer and his Northeast Democrat allies are unlikely to risk alienating constituents for unnecessarily cleaner air that scores no political points for them.

In a naive editorial in favor of Spitzer's smog folly, *The New York Times* boldly declared, "Without question, pollution controls are expensive. But the country long ago said that it was willing to pay for clean air."

Fine. If Northeast states really want cleaner air, they will need to decide how much they are willing to sacrifice for it. ■

Steven Milloy is the author of Junk Science Judo: Self-defense Against Health Scares and Scams *(Cato Institute 2001) and publishes JunkScience.com.*

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Air quality improvements contradict call for new regs

BY BEN LIEBERMAN

America's air quality continues to get better, with particularly strong progress in the Chicago area. A recently released Environmental Protection Agency report concludes that "since 1970, aggregate emissions of six principal pollutants tracked nationally have been cut 29 percent."

And Chicago, which once stood out as one of the nation's smoggiest cities, is now in compliance with the federal smog standard.

This good news might come as a surprise to most people. While we're exposed to cleaner air, we're also exposed to the drumbeat of gloomy media accounts to the contrary. The reality that air pollution is declining needs to be taken into account in current debates over costly new air-quality measures.

Progress across the board

The 1970 Clean Air Act contains provisions designed to reduce ambient levels of six so-called criteria pollutants: nitrogen dioxide, ground-level ozone (the primary constituent of smog), sulfur dioxide, particulate matter, carbon monoxide, and lead. According to EPA's just-released *Latest Findings on National Air Quality: 2000 Status and Trends*, all six have undergone significant declines.

"The nationwide improvements [in air quality] took place over a 30-year period during which U.S. gross domestic product increased 158 percent, vehicle miles traveled increased 143 percent, energy consumption increased 45 percent, and population increased 36 percent."

There are still problems, particularly with smog in parts of California, but the overall trends are quite promising.

In Chicago, the progress has been particularly striking. Ten years ago, the city had the distinction of being one of the nine smoggiest metropolitan areas in the nation, triggering a number of onerous requirements under the Clean Air Act. Today, Chicago meets the federal smog standard.

The nationwide improvements in air quality took place over a 30-year period during which U.S. gross domestic product increased 158 percent, vehicle miles traveled increased 143 percent, energy consumption increased 45 percent, and population increased 36 percent. Similarly, Illinois' economy has grown by 60 percent since 1970. Past economic growth has proven not to be the enemy of air quality, and there is no reason to believe continued growth would stand in the way of further improvements.

These air-quality gains will continue into the future, as regulations currently on the books continue to be implemented. For example, today's motor vehicles, the main source of smog-forming compounds, are 25 times cleaner than their 1970s' counterparts and are still improving.

FOR MORE INFORMATION

WWW Links to the Environmental Protection Agency's *Air Trends* reports can be found on the Internet at **http://www.epa.gov/airtrends/**.

"Turnover of the fleet to vehicles that start cleaner and stay cleaner will continue to drive down smog in the coming decades," said Joel Schwartz, senior scientist with the Los Angeles-based Reason Public Policy Institute.

Opinion, policy out of touch with reality

Opinion polls show most Americans believe air quality is deteriorating. Little wonder, given the near monopoly on news coverage given to the pessimistic claims from advocacy organizations.

For example, the American Lung Association's well-publicized *State of the Air 2001* gave report-card-style grades on air quality, flunking more than half of the nation's counties, including Cook County, of which clean-air Chicago is the hub. The Natural Resources Defense Council grabbed headlines nationwide with its questionable assertion that 64,000 Americans die annually from exposure to soot in the air.

EPA's good news didn't get nearly as much coverage.

Congress and the administration have proposed a number of costly new air-quality measures, apparently reacting to headlines rather than fact. Their policy prescriptions include so-called multipollutant proposals that would crack down on power plant emissions, as well as some new motor fuel requirements.

The most extreme of these measures could drive up the cost of electricity and increase the severity of the gasoline price spikes seen in recent summers ... all for a problem already on its way toward resolution.

No one is suggesting a repeal of the many air-quality standards already on the books. But further measures, especially those that come with a high price tag, should be evaluated in light of the positive air-quality trends currently under way. ■

Ben Lieberman is a senior policy analyst with the Competitive Enterprise Institute. He can be reached at blieberman@cei.org.

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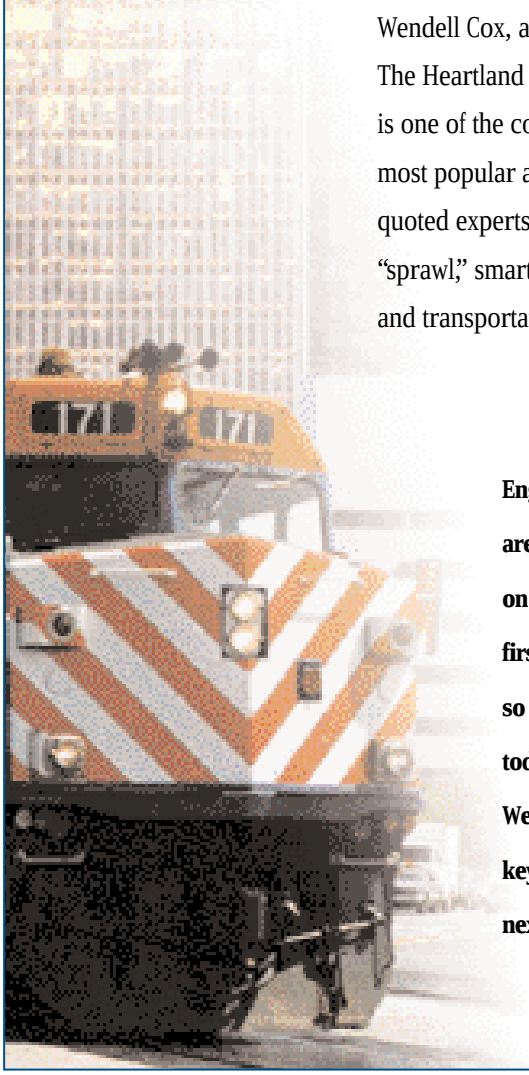

Wendell Cox, a senior fellow of The Heartland Institute, is one of the country's most popular and often-quoted experts on urban "sprawl," smart-growth, and transportation issues.

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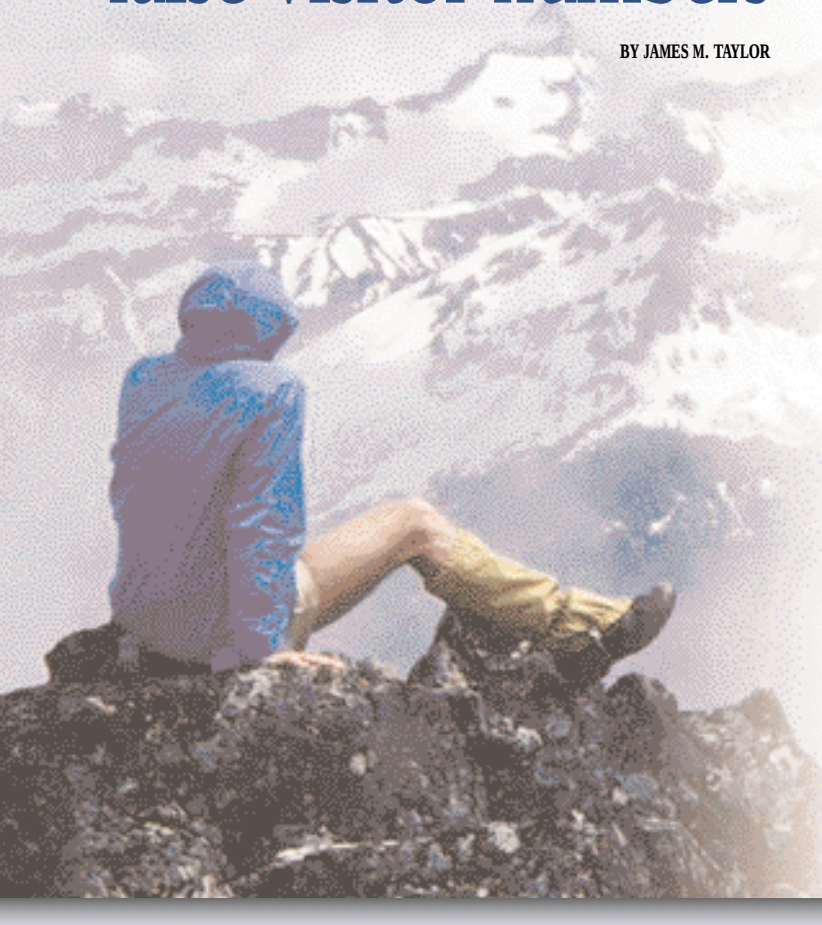
Forest Service caught submitting false visitor numbers

BY JAMES M. TAYLOR



At the same time the lynx and grizzly bear scandals were being uncovered, the U.S. Forest Service was forced to admit still another instance of providing false information.

The Forest Service is responsible for keeping track of the number of annual visitors to national forests. When the number of visitors is large, the Forest Service and environmental activist groups cite this as evidence the federal government should take more land from the private domain to add to national forests. The argument goes that high visitor numbers indicate a public approval and public demand for far-reaching preservation programs.

High visitor numbers are also offered as a justification for large increases in the Forest Service's annual budget.

The Forest Service was recently forced to admit it has drastically misled Congress and the general public about the number of visitors to national forests. The Forest Service reported 920 million visitors in the year 2000, while the actual number was, at most, 209 million.

The Forest Service argues that, in a dyslexic-like mishap, the numbers must have been inadvertently shuffled. However, observers questioned how the Forest Service—which had access to the true numbers all along—would not have noticed such a huge discrepancy in its numbers before submitting them to Congress.

"The Forest Service reported 920 million visitors in the year 2000, while the actual number was, at most, 209 million."

"More likely," noted Sean Paige of *Insight* magazine, "the USFS purposefully padded the figure to advance an agenda that under former chief Mike Dombeck meant a sharp shift away from its traditional multiple-use mandate and toward extreme preservationism. That agenda could best be advanced if it appeared that Americans were flocking to national forests in unprecedented numbers."

"The previous administration used the large forest-visitor numbers as the justification for a dramatic shift in the management emphasis on the national forests," explained the American Forest Resource Council in a recent newsletter. "It was the same flawed data and projections that were used to justify dramatic reductions in timber-management programs and to claim that recreation jobs would replace forest-product jobs in our rural communities. Though timber cutting was sharply reduced under Dombeck, and other multiple uses were similarly curtailed, the promised recreation boom never materialized in forest-bordering communities."

"I'm sure they thought, 'Hey, we're saving the wolf and the lynx and endangered species, so the facts be damned.'"

WILLIAM PERRY PENDLEY, PRESIDENT MOUNTAIN STATES LEGAL FOUNDATION

In light of the recently uncovered lynx and grizzly bear scandals, in addition to evidence of false or skewed data being deliberately collected regarding other studies, the Forest Service's explanation that its false visitation numbers were submitted by mistake does not convince many Western observers.

"The feeling in the Clinton administration was that you could play fast and loose with the facts if you were doing good and important things, especially when you saw the president lying about minor and inconsequential things," summarized William Perry Pendley, president of the Mountain States Legal Foundation. "I'm sure they thought, 'Hey, we're saving the wolf and the lynx and endangered species, so the facts be damned.'" ■

LYNX continued from page 1

observed Senator Larry Craig (R-Idaho).

"This hoax, if it hadn't been discovered, could have wrecked some peoples' way of life," said James Hansen (R-Utah).

Representatives Richard Pombo (R-California) and John Peterson (R-Pennsylvania), the chairman and communications chairman, respectively, of the House Western Caucus, were especially critical of the incident in a jointly released statement.

"As Americans, we should have been astounded by the recent findings that federal officials intentionally planted hair from the threatened Canadian lynx in our national forests in order to impose sweeping land regulations. But in truth, many of us who come from rural America have grown accustomed to environmental activism prevailing over the rule of law and over the best interests of families and communities."

Most surprising to members of the Western Caucus has been the apparent lack of meaningful discipline against the government employees. Instead of the federal government pressing criminal charges and/or terminating the researchers, the researchers kept their jobs and were reassigned to other projects.

"This lackadaisical approach to willful, unethical conduct is unacceptable, and we see no credible alternative other than to terminate the parties if there is convincing evidence that they knowingly and willingly planted unauthorized samples," stated Pombo and Peterson.

The researchers claimed they had planted the hair samples, without informing their supervisors and in direct violation of research protocols, to test government laboratories' ability to identify such fraud. Few observers bought the explanation. "That's like saying, 'We weren't really robbing a bank, we were just testing to see if we could rob it,'" said Adena Cook of the Blue Ribbon Coalition, a national recreation organization.

Tip of the iceberg?

Had the researchers' fraud not been discovered, the planted hair samples would have skewed the entire study and the course of future environmental programs. Yet government officials downplayed the possibility that any other hair samples may have been planted but gone undiscovered.

"I am committed to determining all the facts," said Forest Service Chief Dale Bosworth. "We should not allow an isolated incident to overshadow the hard work and dedication of our body of land-management professionals."

Congressional and private observers, however, were not so sure the exposed fraud was isolated, either within the lynx program or within government research programs as a whole.

"This lynx debacle calls into question everything the Fish and Wildlife Service has done for the past eight years," said Representative James Hansen (R-Utah), chairman of the House Resources Committee. "It makes me wonder if past studies have been marred by sloppy or faulty research."

"This goes to the fundamental principle of the Endangered Species Act and the credibility of the program," said a Bush administration official speaking on the condition of anonymity. "It's logical to assume if the biologists did it in the case of the lynx, they could do the same with other endangered species."

Rob Gordon, director of the National Wilderness Institute, noted many people working with endangered species issues have long suspected endangered species laws have been exploited and facts "fudged" to further other political agendas. "What is most disturbing, however, is to find that government scientists are faking studies to justify political goals," said Gordon.

"I am convinced," added retired fish and wildlife biologist James Beers, "that there is a lot of that [false sampling] going on for so-called higher purposes."

Researchers sought hairs from grizzly rug

After reading reports about the lynx hoax debacle, a Washington State taxidermist came forward with evidence government researchers sought hairs from a grizzly bear rug to plant as part of a similar study regarding threatened bears.

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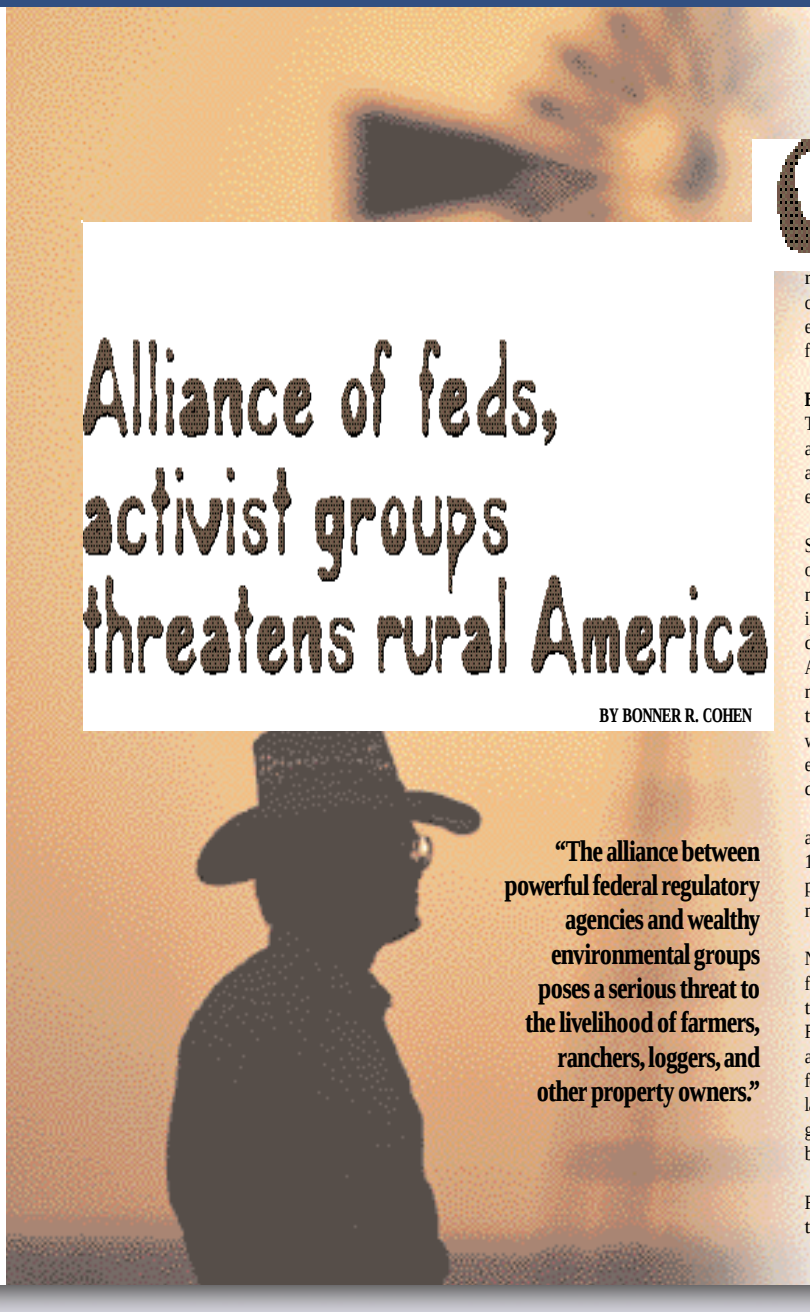

Alliance of feds, activist groups threatens rural America

BY BONNER R. COHEN

"The alliance between powerful federal regulatory agencies and wealthy environmental groups poses a serious threat to the livelihood of farmers, ranchers, loggers, and other property owners."

One of the most potent political alliances to emerge in the United States in recent years is carrying out a well-coordinated and unrelenting assault on the nation's rural communities. If allowed to continue their campaign unchallenged, these forces will forever change the face of rural America—and not for the better.

Big government, big environment

The alliance between powerful federal regulatory agencies and wealthy environmental groups poses a serious threat to the livelihood of farmers, ranchers, loggers, and other property owners.

Selective enforcement of the Endangered Species Act by the U.S. Fish & Wildlife Service, often triggered by lawsuits brought by environmental groups, has shut down logging and mining operations and kept property owners from deriving economic benefits from their land. Arbitrary application of wetlands regulations, massive government land purchases to "protect" the environment, and the "reintroduction" of wolves and other carnivores have had the same effect. Though tactics vary, the ultimate goal is to drive people off their land.

The Nature Conservancy, for example, has been acquiring land for half a century and now has 12 million acres in the U.S. Purchasing land is no problem for an organization that took in $786.8 million in the fiscal year ending June 30, 2000.

Few people realize that much of the land The Nature Conservancy buys is simply transferred from private to government ownership. According to Ron Arnold and Alan Gottlieb of the Center for Free Enterprise, The Nature Conservancy sells about two-thirds of the land it purchases to the federal government. Thousands of acres of private land, and the revenues that land generates for local governments, thus disappear each year and become part of the growing federal estate.

Another well-heeled group, the Conservation Fund, prides itself on "protecting" Civil War battlefields. In the 1990s, the Conservation Fund teamed up with the U.S. Park Service to expand the boundaries of the Antietam National Battlefield Park in Maryland.

According to local resident Ann Corcoran, the Conservation Fund aimed to purchase land just outside the park and then sell it to the Park Service. One of the properties sought by the Conservation Fund surrounded Corcoran's farm. Its purchase and re-sale to the government would have put her property within the new park boundary, making it eligible for condemnation by the Park Service. The only way Corcoran could save her farm was to buy the land coveted by the Conservation Fund, an expense few landowners could bear.

Depopulating rural America

Last summer, the Wilderness Society joined forces with the Sierra Club and Colorado Wilderness Network to urge Congress to designate for "protection" 1.6 million acres of Bureau of Land Management and adjacent U.S. Forest Service lands. The proposal, they explained, "offers a balanced alternative to the threats to these special places from increased oil and gas development, mining, logging, and unregulated off-road vehicle use."

The message is clear enough. "Protection" means excluding this and other giant tracts of land from those activities that have traditionally provided jobs to people in rural areas, particularly in the West. Once the economic base of rural communities has been destroyed, people will leave in search of greener pastures. The resulting depopulation of rural areas is exactly what the land-grabbing environmentalists want.

While the Bush administration has seen fit to kill a Clinton-era plan to reintroduce grizzly bears into parts of Idaho and Montana, much more needs to be done to protect hard-working people in rural areas from the unholy alliance of feds and greens. ■

Bonner R. Cohen is a senior fellow at the Lexington Institute in Arlington, Virginia.

The taxidermist, Jim Gintz, was putting together a bearskin rug when a Washington fish and wildlife biologist asked if he could purchase some bear hairs. The biologist stated he sought to use the hairs as a blind sample in a study.

Gintz, however, was not convinced. The rug he was making used hairs from an Alaskan grizzly bear. However, protocols require that blind samples be submitted only from areas in which grizzlies have already been reintroduced. Furthermore, the use of blind samples must be accompanied by the approval of the study's lead biologist. Accordingly, Gintz was suspicious of the biologist's story and refused to provide the biologist with any grizzly hairs.

Upon subsequently reading about the lynx hair fraud, Gintz contacted Washington State Representative Bob Sump, co-chairman of the Natural Resources Committee.

"One can only wonder why the Washington Department of Fish and Wildlife must rely on covertly obtained blind samples of grizzly bear fur when it could get an official sample from virtually any state or provincial wildlife office with a simple phone call," said Sump.

"Suspicions confirmed"

Many western residents did not wonder at all about government endangered species practices.

"People here aren't shocked in the least," said Donna Thornton, a third-generation logger who runs a small family logging business. "People in the West have known for a long time that the Forest Service isn't a scientifically ethical operation."

"It's 'suspicions confirmed' that a lot of this data is manhandled and cooked up," added William Perry Pendley, president of the Mountain States Legal Foundation.

Tammi Jensen, vice president of Rural Voters of America in Whitehall, Montana, recalled suspicious activity in previous species issues. Jensen noted spotted owl counts were taken by listening to spotted owl calls rather than gaining visual confirmation of local owls.

"There were long-standing rumors that the conflict-industry advocates [environmental activists] had learned to make the calls and positioned themselves in the woods when the counts were being done," said Jensen.

Bruce Vincent, president of Communities for a Great Northwest, based in Libby, Montana, recalled still more fraud. During a recent, unrelated grizzly bear count, local residents accused the Fish and Wildlife Service of using horse carcasses to lure bears into counting areas where the bears do not otherwise exist. The practice was deemed especially repugnant by local residents because bears quickly acquire a taste for horsemeat and thereafter are likely to approach homes and stables in search of a kill.

At first, according to Vincent, the Forest Service denied engaging in the practice. "Then, at the next meeting, a man from Idaho showed them pictures of horse carcasses where they were baiting bears," he said. "So Fish and Wildlife said they wouldn't do it again. But that hurt trust."

"We know where bears cross the road," added Thornton. "We know where the lynx is. We've had families living here for generations—we know where the wildlife is. So we know when they're telling the truth and when they're lying."

"Unfortunately, the lynx biofraud is not an isolated event but an egregious example of a serious malady that has infected environmental regulatory agencies," said Gordon.

Added Hansen, "If we get this wrong—if we shut down access to thousands of acres of public land because of endangered species that turn out to not even be there—we not only take away people's enjoyment of these lands, but we wipe out countless jobs that relied on access to that land. We affect recreation, tourism, farming, ranching, logging, and more. We put people out of work."

"We've worked in good faith with the Forest Service, and to find this out puts the entire process in question," said Vincent. The evidence of fraud, he noted, reinforces Westerners' opinion that environmental activist groups and the federal government are using the Endangered Species Act as a "bludgeoning device" designed to "move people from the landscape we love." ■

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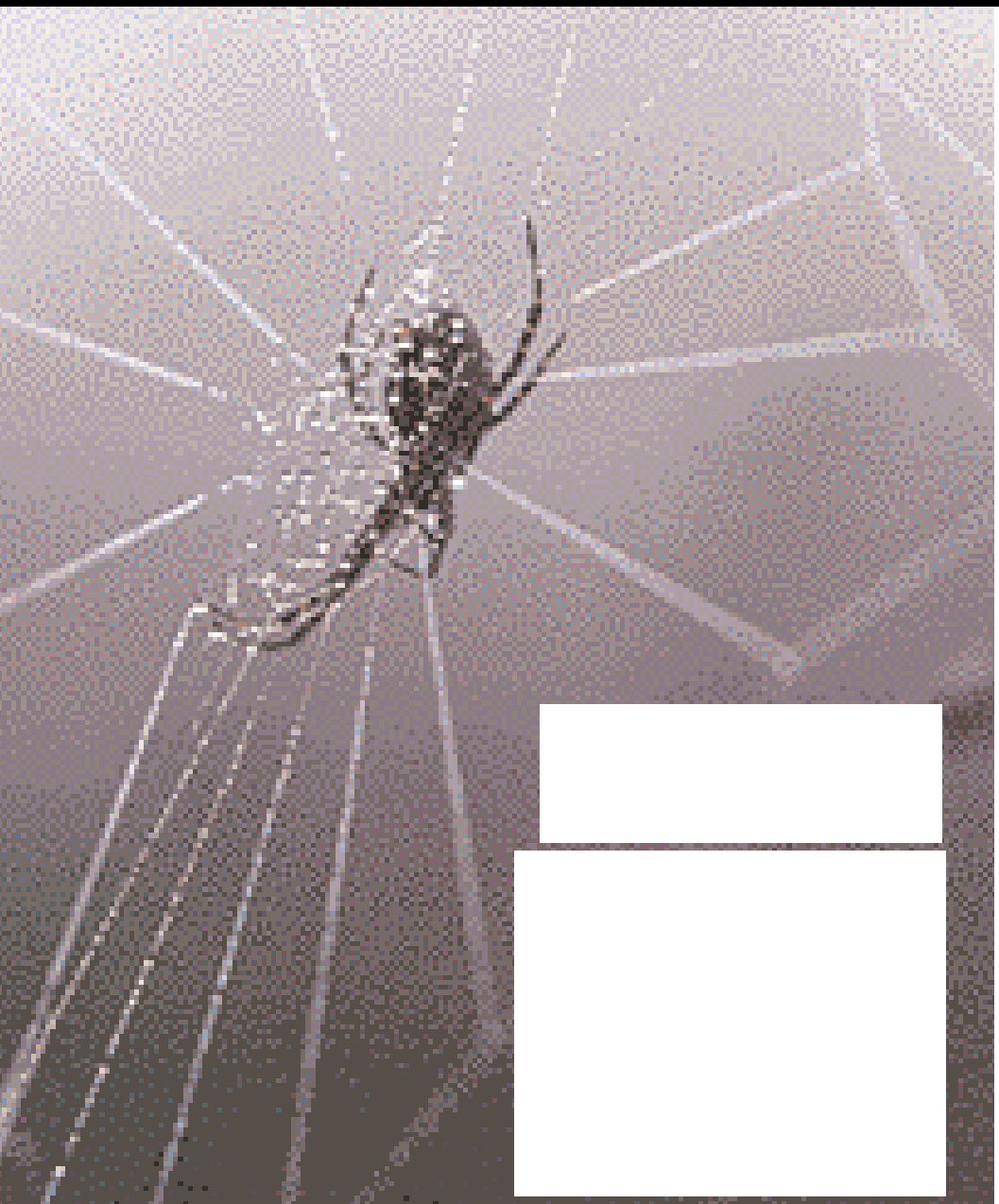

Grassroots activist promotes environmental policies that provide for the needs of people as well as those of other animals and plants

AN INTERVIEW WITH
BRIAN BISHOP
BY **JAMES M. TAYLOR**

FOR MORE INFORMATION

on Anthony Palazzolo's property rights case, contact the New England Legal Foundation at 55 Union Street, Boston, MA 02108, phone 617/695-3660.

WWW For more information on the Alliance for America, visit its Web site at **http://www.allianceforamerica.org/.**

The first line of defense for a sound, common-sense approach to environment issues is made up of local citizens participating at the grassroots level. Brian Bishop, director of Rhode Island WiseUse and Rhode Island State Director for the Alliance for America, is an example of the power concerned citizens have to effect positive societal change.

The Alliance for America (AFA) is a 50-state network of hundreds of independent grassroots organizations, with a collective membership in the millions. These groups represent a variety of vocational, cultural, and political interests, including farming, grazing, forestry, commercial fishing, mining, recreation, energy, animal welfare, private property protection, local government, and various community and regional organizations.

The goals of the AFA are to bring reason back to the debate surrounding environmental protection, and to bring accountability to government regulators and bureaucrats. Although many issues continue to intensify and add to the complexity of the debate, AFA's mission is to advocate responsible multiple use of public lands and natural resources, and to restore and protect constitutional private property rights.

Rhode Island WiseUse, founded by Bishop, is dedicated to multiple use as a guiding principle for all lands, public and private.

In addition to his significant participation in the Alliance for America and Rhode Island WiseUse, Bishop played an integral role in assisting Mr. Anthony Palazzolo present and win a landmark United States Supreme Court case last summer. (See "A win for private landowners," *Environment & Climate News*, September 2001.)

In its decision, the Court rejected onerous land-use restrictions imposed on Palazzolo's property cloaked in the guise of environmental protection. While the Court decision was a significant victory for Palazzolo and common-sense land-use laws, the case continues to play out in the lower courts.

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TAYLOR: *What is the philosophy of Alliance for America and Rhode Island WiseUse regarding environment and natural resource issues?*

BISHOP: The Alliance for America has specific goals: to protect private property rights and promote multiple use of public lands. In forming Rhode Island WiseUse, I synthesized those goals into a single idea: promoting balanced environmental policies that provide for the needs of people as well as those of other animals and plants. Rhode Island WiseUse promotes multiple use in a free-market environment as a guiding principle for the management of all lands, public and private.

This would self-evidently encourage privatization of the federal estate, but I believe that can and should be accomplished, as it has historically, through the division of the fee into logical resource-based segments. Whether through homesteading, grazing rights, mineral patents, water rights, fishing quotas, RS-2477 grants, and numerous other partial title vehicles, we have created the elements of a free market in resources—even in landscapes theoretically dominated by public ownership.

The fact that we have tied that well-ordered system with a Gordian knot lately has not altered my fundamental belief that there are many positive market-oriented resource management regimens, short of simply ridding the federal government of fee simple for anything but military bases, with which the "public lands" question can be addressed.

TAYLOR: *And what of the "private lands" question?*

BISHOP: Multiple use was originally "conservative use" in the words of Gifford Pinchot, first chief of the Forest Service under Theodore Roosevelt. It was later simplified to "wise use" and popularized by Ron Arnold, president of the Center for the Defense of Free Enterprise. Multiple use means recreation, wilderness values, natural monuments, and endangered species can coexist peacefully and productively with extractive industries such as ranching, farming, mining, logging, and fishing. That concept does not lose its relevance at the limits of the public estate.

Maine, a state often criticized by environmentalists because it has so little public property, is nonetheless lionized by them for its recreational and habitat opportunities—which they erroneously maintain can be saved only by public acquisition. Thanks to the likes of Great Northern Paper, now Bowater, Maine's private forests provide unparalleled public recreational access, making the state the hunting, fishing, and wilderness capital of the Northeast. This model challenges the argument that non-commodity resource values are correlated to public ownership.

TAYLOR: *How has the change in power at the White House affected free-market environmentalism at the grassroots level?*

BISHOP: "Not enough" is the simple answer to that question.

The more complex answer is that no administration has any notion of how to turn off the current in the third rail of environmental collectivist politics, even if they wanted to ... and it is not clear Bush really wants to do that, anyway.

To the credit of the administration, they have reversed field on Kyoto, thus signaling no intention to play along with the environmental socialists' grand plan. But they have purposefully taken a pass on opportunities to make real and meaningful use of executive power in specific situations to demonstrate a more balanced approach to the environment, notably in the Klamath Basin.

TAYLOR: *How can the current administration improve its handling of environmental issues? In what specific areas would you recommend changes?*

BISHOP: Stop affording environmental issues so much attention.

We must recognize that all political activism in this country—from the most authentic grassroots to the most highly sophisticated and paid lobbying—will be affected by September 11 for the foreseeable future. For the administration, the necessity will be forging a policy response. This at least is an opportunity to show they can build coherent policy.

Like Cheney's efforts on energy, a program that has generally attempted to navigate environmental obstacles thrown up for the very purpose of gumming up the works of capitalism can respond to the events of September 11 in a forward-looking, intelligent manner rather than merely react to symptoms.

The approach of the administration cannot mirror Cheney's embarrassment over who he consulted in crafting administration energy policy. He would not be embarrassed to say he consulted generals regarding military approaches to terrorism, anymore than he should be spooked by the idea that having consulted oil industry sources on oil exploration is somehow abhorrent.

"Rhode Island WiseUse promotes multiple use in a free-market environment as a guiding principle for the management of all lands, public and private."

TAYLOR: *The Arctic National Wildlife Refuge is in the spotlight as a centerpiece of President Bush's national energy policy. What are your thoughts regarding resource recovery in ANWR?*

BISHOP: Energy security is now a very real piece of the international terrorist puzzle. Short of occupying the Middle East, our economy will be shackled to our diplomacy to the extent that the majority of our oil continues to flow from areas subject to unpredictable bouts of Islamic fundamentalism (or dare I say all-too-predictable bouts).

The United States has innumerable resources at hand to support itself. Not only does Alaska hold plenty of oil and natural gas, but there is plenty even closer under the western public lands and offshore. A renewed commitment to using our own resources, combined with the will to leverage nuclear and other technologies, could supplant the energy confusion in our foreign policy.

Alaskan oil exploration is the signature policy decision in this realm, just as the World Trade Centers were a signature target in the terrorist realm. It is time to demonstrate that the United States can provide for itself ... not that the United States is isolationist, but that its free trade is really part and parcel of exporting freedom.

TAYLOR: *Do you see any drawbacks in the President's national energy policy regarding private property rights and deference to local government?*

BISHOP: The obvious hot spot has been provisions in the President's plan that provide condemnation authority for power-line easements.

If viewed in the context of the interstate highways—where we have generally accepted a federal role in laying down a transportation grid for goods, services, and people—the concept of a government role in creating the power grid is relatively unremarkable ... even the contemplation of condemnation. The devil is in the details.

A hardcore market stance might backtrack to suggest the government shouldn't have gotten involved in the interstates; they should all be private toll roads. With current strained budgets and the inability of government to contain construction costs as we maintain and improve the interstate system, there are models for privatization of highways both here and abroad; but even these are little more than public/private partnerships that ultimately depend on government to flex its regulatory and condemnation authorities on behalf of the private road contractor/owner. Thus, even operational privatization of the transportation grid doesn't remove the government interest and attendant gerrymandering in property markets through condemnation.

That said, few in the property rights movement are in favor of rolling up the interstates and placing the underlying property back in the hands of its original owners—despite the fact that the pursuit of happiness for some was short-circuited during their construction.

Without regard to whether a more market-oriented strategy could have been employed, I accept the federal role in the interstates as central to commerce clause authority. The overwhelming benefit to society of creating a cohesive and universally open strategy for transportation across state lines was thus properly a federal prerogative.

Regarding power-line easements, the arguments are fairly similar ... but some important issues remain.

One problem is the issue of equal access to the power grid. The Bush energy legislation, which would federalize some aspects of grid construction (principally acquisition of rights of way), does very little to address parochial energy problems. While everyone in the country would get an exit ramp from the power grid, very few would get an entrance ramp. This leaves the distinct possibility that federalizing the grid would not increase the supplier competition needed to improve efficiencies, better balance supply and demand, and provide for a truly market-based allocation across the grid.

Another problem is the potential for the federal government to abuse the rights of citizens who own property along proposed transmission lines. Process remains the key to making government condemnation of easements defensible. Some particular language has been proposed to add safeguards to the route selection process—specifically necessitating a choice among alternative locations which has the least impact on existing or potential uses of affected property owners.

The importance of property rights demands that these points be addressed ... but the importance of energy security to the nation demands that ultimately no constituency create gridlock with respect to energy legislation.

TAYLOR: *The U.S. Supreme Court recently issued a landmark decision regarding private property rights and the environment involving your home state of Rhode Island. What are your impressions of the Palazzolo case?*

"A renewed commitment to using our own resources, combined with the will to leverage nuclear and other technologies, could supplant the energy confusion in our foreign policy."

BISHOP: The mountain of technicalities the government erects regarding compensation for the taking of land never ceases to amaze me. Just when you think you've seen it all, they do themselves one better.

Anthony Palazzolo has been trying to develop that property for the better part of his adult life. He was repeatedly denied permission by the state and ultimately filed a takings claim ... which found its way to the U.S. Supreme Court 39 years after his first application to fill the property.

During the trial in Rhode Island Superior Court, the state argued alternatively that Palazzolo's claim was not ripe, i.e. not yet ready to be heard, and that the statute of limitations on his claim had expired. In other words, by the time the state would deign to permit you to file a takings claim, your right to make that claim has expired.

In another indignity, the state maintains Palazzolo's proposed filling and use—either for homes or for a beach club—would be a nuisance, because the property is purported to filter 10 percent of the nutrient inputs to an adjacent salt pond.

In Palazzolo's case, argued by Pacific Legal Foundation's Jim Burling, the U.S. Supreme Court laid waste to the ripeness technicalities advanced by the state.

Palazzolo is now represented by the New England Legal Foundation, which defends property rights in the northeast and will attempt to see that his victory for all property owners at the Supreme Court level ultimately leads to justice in his own case, and a further advancement of property rights in general. ■

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President George W. Bush, seated, signs the Everglades Protection Act as his brother, Florida Gov. Jeb Bush, left, and Gale Norton, Secretary of the Interior, second from left, watch. *photo/Chuck Kennedy*

Bush brothers sign landmark Everglades agreement

BY JAMES M. TAYLOR

President George W. Bush and Florida Governor Jeb Bush on January 10 signed an agreement ensuring that water captured under a $7.8 million Everglades restoration program will be allocated primarily for ecosystem purposes.

The program was approved by Congress during the summer of 2000 to undo many of the effects of prior federal programs. Most notably, Congress in the 1950s directed the U.S. Army Corps of Engineers to drain a portion of the Everglades to accommodate Florida's growing South Florida population and agricultural interests.

Congressional approval for the new program was assured only after the federal government agreed to cooperate with Florida state officials in determining the specific applications for the federal funds. The state of Florida and the federal government agreed to split the costs of the program and to work together in meeting their respective goals. On December 28, 2001, the Army Corps announced a plan that would serve as a broad guide for the program but would grant Florida flexibility in implementing the details.

Flexible, or permissive?

Environmental activist groups immediately denounced the Army Corps plan as too permissive and a "smokescreen" for Florida's alleged future development plans.

"This is a joke," said Bradford Sewell, a senior attorney for the Natural Resources Defense Council. "They're basically saying, let's keep everything the way it's been done in the past. That's what destroyed the Everglades in the first place."

"A close examination of the project reveals that most of it is designed to provide more water for urban expansion and agriculture," added David Guest, head of EarthJustice's Tallahassee office. "Saving the Everglades is an afterthought."

Despite the attacks from anti-market activists, Army Corps engineers expressed confidence their guidance would create ample safeguards for the protected wetlands. "I'm sure plenty of groups are going to zero in on something they don't like," said Stuart Appelbaum, the Corps official in charge of the program. "When you have something this extraordinarily complicated with this many stakeholders, that's what you'd expect."

"[The] $7.8 million Everglades restoration program was approved by Congress during the summer of 2000 to undo many of the effects of prior federal programs."

A January 3, 2002 *Washington Post* house editorial recognized the difficulties in formulating a balanced plan. "This is not a situation in which federal officials can simply run roughshod over local interests. Florida, after all, is footing half the bill for the $8 billion project. State policymakers have pledged to revive the Everglades ecosystem; federal ones have acknowledged the importance of local water needs."

Binding and enforceable

The Army Corps' confidence in Florida's commitment to restoring Everglades ecosystems as well as meeting its residents' water needs was vindicated by the January 10 agreement signed by President and Governor Bush. In the agreement, Governor Bush pledged that restoring Everglades ecosystems would be the first priority of the state's mission, with the needs of farmers and homeowners being considered only after adequate water for Everglades ecosystems had been assured.

"This is an important project," commented Governor Bush. "It will show that what was harmed by man can be restored by man."

Despite their previous misgivings, many activist groups expressed pleasure at the January 10 agreement. Of particular importance was the binding and enforceable nature of the agreement.

"It has the teeth we wanted," said Sean McMahon, a lobbyist for the National Audubon Society.

Everglades National Park Superintendent Maureen Finnerty was equally satisfied with the agreement. "Today's agreement is an important step in restoring Everglades National Park," she said. "It will ensure that the entire Everglades ecosystem receives the water needed to restore the biological abundance and diversity for which this special place is so universally admired." ■

New study shows ships can combat invasive species

BY JAMES M. TAYLOR

A new study indicates the unintentional introduction of invasive foreign species to American waters can be prevented by a method used to combat ballast-tank ship corrosion. The method uses nitrogen gas to remove oxygen from ballast water.

Marine ecologist Mario Tamburri of the Monterey Bay Aquarium Research Institute, who led the study, expressed optimism that the findings present a mutually beneficial solution for environmentalists and ship owners.

"[I]nvasive foreign species are believed to have been involved in 70 percent of native aquatic species extinctions during the past 100 years."

Invasive foreign aquatic species have caused significant damage to native species and ecosystems after being unintentionally brought into the country via ballast water. Research has shown ballast water inadvertently carries enormous numbers of aquatic organisms from port to port. *ScienceDaily* reports invasive foreign species are believed to have been involved in 70 percent of native aquatic species extinctions during the past 100 years.

"Biological invasions of non-native species are one of the most devastating threats to native communities," said study co-author Kerstin Wasson of the Elkhorn Slough National Estuarine Research Reserve. "We urgently need practical solutions to stem the tide of aquatic invasions."

Current attempts to stem the invasion of ballast-transported species include intensive water filtration, heat treatments, and biocide treatments. Those treatments are costly, often dangerous to shipping crews, and can create additional problems in the surrounding environment. By contrast, deoxygenation offers an alternative that is both environmentally friendly and cost-effective for ship owners.

"A win-win treatment"

"Deoxygenation was seen as too expensive for controlling invasive species in ballast water, but our study shows that the anticorrosion benefit of this technique is a strong economic incentive for the shipping industry," asserted Tamburri. "It's a win-win treatment for solving an environmental problem and reducing heavy ship maintenance costs."

Tamburri and Wasson analyzed research by Japanese scientists who developed a deoxygenation technique to fight corrosion costly to cargo ships. The method entails bubbling nitrogen gas into ballast water to remove oxygen, which in turn prevents the formation of rust on ballast tanks.

The deoxygenation method is seen as a potential supplement to or replacement for the current industry practice of using paint to combat the rusting of ballast tanks. Anti-rust paints are not only expensive, but must be repeatedly applied over the lifetime of a ship. Studies suggest replacing the paints with deoxygenation may save ship owners as much as $100,000 per year in the fight against corrosion.

Tamburri and Wasson realized that aquatic organisms are also sensitive to oxygen levels, and they began to explore the deoxygenation process as a way to combat invasive species. They conducted laboratory experiments recreating the deoxygenation technique on three nuisance species recently introduced to American waters—a European zebra mussel, an Australian tubeworm, and a European green crab.

The deoxygenation process killed virtually all of the animal larvae after only two or three days. Cross-ocean ship voyages typically take weeks to complete.

In follow-up research, Tamburri and Wasson concluded similar results would occur involving a host of other foreign species. A few species would likely survive deoxygenation, but most species would not.

"While extremely effective, deoxygenation may not be as comprehensive in removing aquatic organisms as other proposed ballast water treatments, but it has the huge advantages of being environmentally benign while also saving ship owners money through rust prevention," said Tamburri.

"Until international law mandates total mortality of all ballast organisms," he continued, "deoxygenation at the very least deserves further consideration as a high priority treatment." ■

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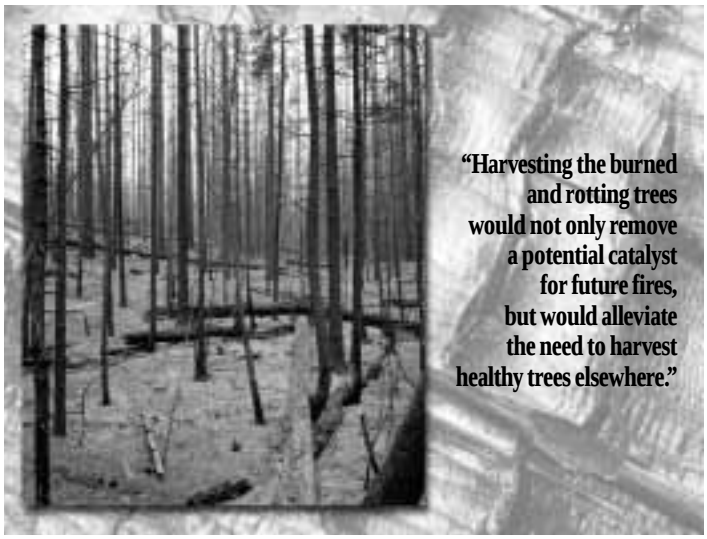
Judge blocks logging of burned trees

Market-friendly environmentalists suffered a second defeat as a federal district judge on January 8 blocked a Bush administration decision to allow logging on more than 40,000 acres of burned trees in Montana's Bitterroot National Forest.

Large areas of the forest were singed or burned to the ground during fires in 2000. As a result, agriculture undersecretary Mark Rey on December 16 signed an administrative order allowing loggers to clear the forest of the charred and rotting trees. While such administrative orders would normally be preceded by a prolonged period of public comment and debate, Rey determined the normal processes would cause the burned trees to degrade, rot, and lose their value before logging could ensue.



"Harvesting the burned and rotting trees would not only remove a potential catalyst for future fires, but would alleviate the need to harvest healthy trees elsewhere."

"We are using mechanisms included in the appeals process, as they have been used before, in what I view to be a rare circumstance where that's justified," said Rey.

A number of anti-market environmental groups challenged Rey's order in federal court, claiming the order illegally short-circuited the public comment period. Federal District Judge Donald Molly agreed.

"It is presumptuous to believe that the agency's final decision has a perfection about it that would not be illuminated by interested comment, questioning, or requests for justification of propositions asserted in it," wrote Molloy.

"The precipitous action here in electing to take the law into its own hands will cause the very difficulty the agency reasons it is trying to avoid," the judge added.

Although federal forest officials determined that recovery of the burned timber would be instrumental in preventing future forest fires, anti-market activist groups clearly did not wish to see timber companies turn a profit from any form of logging, including the logging of singed and dead trees.

EarthJustice lawyer Doug Honnold protested that if Rey's decision had taken effect, it would have propped up a reeling timber industry "under the guise of responding to a forest fire." Added Honnold, "This plan was one-stop shopping for the Forest Service to reinstate a dying industry and get the loggers back in the woods."

Supporters of the logging noted, however, that harvesting the burned and rotting trees would not only remove a potential catalyst for future fires, but would alleviate the need to harvest healthy trees elsewhere. Moreover, harvesting the dead trees would create a boon for loggers and the local economy.

The burned trees would provide 181 million board feet of lumber, enough to fill log trucks lined up end to end for over 300 miles. By comparison, a total of only 83 million board feet of lumber was harvested from the Bitterroot National Forest from 1990 to 1999. ■

LOGGING continued from page 1

Forest Service chief Dale Bosworth had announced on November 16 that the Bush administration would endorse the Clinton plan virtually wholesale. Rey's December 27 announcement affirmed Bosworth's initial determination.

Bosworth added a caveat, saying "I am instructing the Regional Forester to re-evaluate the decision for possibilities of more flexibility" in fine-tuning the policy to help prevent forest fires. "I believe opportunities exist for refining the decision. Decades of fire suppression have often produced overcrowded vegetation in our forests, weakening trees and rendering them more fire prone and more susceptible to pests, diseases, and displacement by invasive species."

Pacific Southwest Regional Forester Jack Blackwell responded with a statement that the plan would be under "broad review" during the next 12 months. Forest Service spokesperson Matt Mathes assured that Blackwell is "a fair-minded listener open to working with all interest groups."

"Worst decision"

Anti-market activist groups allege the new restrictions are necessary to protect a variety of endangered species. While expressing some concern that fire-suppression adjustments may soften the effects of the prohibitions, most such groups welcomed the decision.

"Today the sun is shining on California's Range of Light," said Jay Watson, regional director of the Wilderness Society.

Recreationists, loggers, and market-friendly environmentalists, however, were disappointed in the decision.

Bob Roberts, director of the California Snow ski resorts, observed that ski resorts will not be able to add new lifts if they cannot remove trees larger than 20 inches in diameter.

"Recreation has been a casualty of the process," asserted Roberts.

Dan Amador, spokesperson for the Blue Ribbon Coalition of off-road vehicle users, agreed. "It's no secret that this process was hijacked by operatives in the Clinton administration," said Amador.

California Forestry Association President David Bischel noted that the more stringent logging restrictions will merely exacerbate already-dangerous forest fire conditions. Dense forest growth has been a primary cause of catastrophic forest fires in recent years.

Bischel called the Forest Service's ruling "the worst decision they could have made," one that will "add to the risk of catastrophic wildfire."

Representative Wally Herger (R-California) was especially concerned that Washington officials drafted a plan opposed by most of his northern California constituents, who will be directly affected by the logging restrictions.

"I was very surprised and disappointed," said Herger. "This shows just how far the radical environmentalists have infiltrated public policy in America."

Rose Comstock-Correira, executive director of the Northern Sierra Natural Resources Coalition, expressed regret that the plan ignored the realities of the California economy.

"This is no time to make decisions that cut through the heart of rural livelihoods and create barriers to removing excessive fuels resulting in further harming the environment and families," said Comstock-Correira.

"The Framework decision readily admits the effects will increase child poverty by 50 percent in communities most affected," she continued, "because parents who work in the timber and agriculture industries will experience the most job losses and [losses in] income. Any federal agency making decisions intentionally placing 50 percent of our community's children in poverty is indescribable but clearly no less than a death sentence to local economies and the surrounding forests." ■

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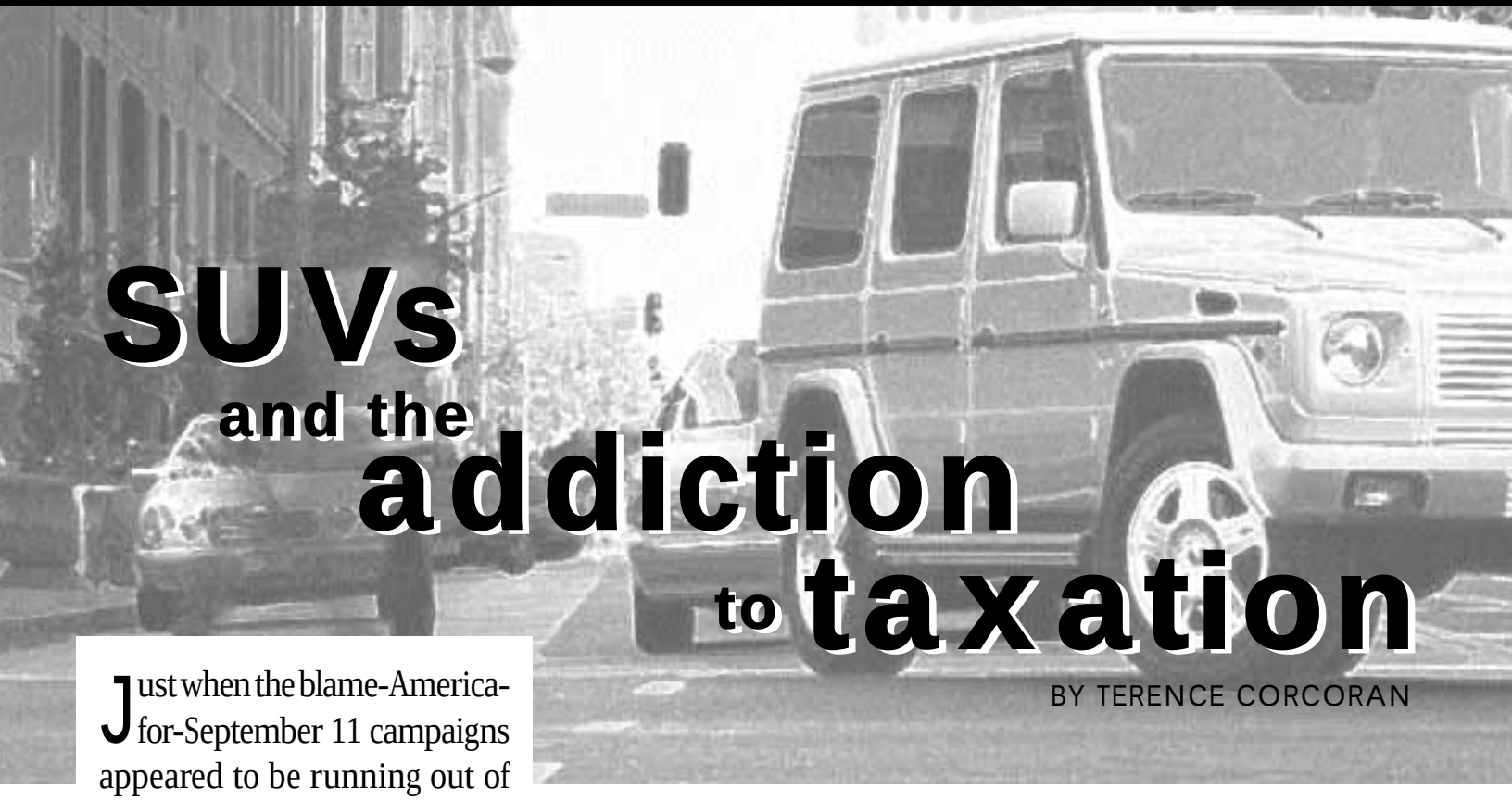

SUVs and the addiction to taxation

BY TERENCE CORCORAN

Just when the blame-America-for-September 11 campaigns appeared to be running out of gas, a new version is gaining momentum. Blame the SUV!

The idea that gas-guzzling SUVs are somehow feeding U.S. military and economic vulnerability is a hot issue in *The New York Times*, popped up in *The Wall Street Journal* recently, and got a big push weeks ago in a cover story in *The Economist*.

The *Times* version was kick-started by columnist Thomas L. Friedman. The often muddle-headed author of *The Lexus and the Olive Tree* delivered a rant against U.S. President George Bush for not "using the power of Sept. 11" to liberate the United States from the shackles of Middle East oil. "The most obvious bold national project that Mr. Bush could launch now—his version of the race to the moon—would be a program for energy independence ... weaning America off of its dependence on Middle East oil," wrote Friedman.

"An SUV consumes gasoline, crude oil comes from the Middle East, the Middle East is a gang of criminals and cartel operators, therefore SUV drivers are supporting criminals and should be punished. That's what they teach in economics courses these days."

Twisted logic

The letters poured in to the *Times* from sympathetic readers. "To me," said Harry Zutz of New Jersey, "there is no more paradoxical and unpatriotic sight than a gas-guzzling behemoth (the SUV) lumbering down a narrow city street, proudly bearing an American flag."

Exactly what the paradox is went unstated, but it presumably goes something like this: An SUV consumes gasoline, crude oil comes from the Middle East, the Middle East is a gang of criminals and cartel operators, therefore SUV drivers are supporting criminals and should be punished. That's what they teach in economics courses these days.

A retired U.S. Army officer, Ralph Peters, made the same SUV link in an otherwise fine article in *The Wall Street Journal* on Saudi Arabia as a threat to world peace, security, and stability. The Saudi vision of Islam—hateful, medieval, murderous—is state-sponsored religious extremism "funded by all the drivers of those oversized SUVs on American roads."

SUVs made a cameo appearance in *The Economist*, which ratcheted up an alarming scenario of a "Taliban-like regime" gaining control of Saudi oil fields. Instead of maximizing profits, a Taliban-controlled Saudi Arabia "might decide to blow up the wells, in pursuit of devout poverty and to punish the West for its corruption."

How to avoid that ghastly possibility? *The Economist*, in a related article ominously titled "A dangerous addiction," suggests greater energy efficiency by forcing higher fuel economy standards for cars and "closing the loophole that allows light trucks and sport-utility vehicles (SUVs) to use more petrol."

The objective? Higher taxes

In the end, however, fuel economy standards turn out to be just another way-station on the road to the big objective. "On environmental grounds, never mind energy security, America taxes gasoline too lightly," said *The Economist*'s editorial. A big one-shot tax hike would be preferable, but *The Economist* offered a politically more feasible plan of gradual gas tax increases that would shift the tax burden from incomes to energy. "Gradualism is the key to doing this intelligently."

Over in Europe and Britain, of course, consumers already enjoy the benefits of sky-high gasoline prices. Pump prices of $2 a litre explain part of Europe's dismal economic performance relative to the United States, and may also play a role in keeping the euro down. Perhaps *The Economist* has jumped aboard the "tax harmonization" bandwagon and hopes to get North America roped into the same job-killing tax regime.

Not surprisingly, the Thomas Friedman plan for U.S. oil independence ends up with the same prescription: tax increases. He quotes "respected" oil consultant Philip Verleger—who also appears in *The Economist* piece with the same analysis—on how taxes could end America's oil gluttony.

One out of every seven barrels of oil produced in the world is consumed on American highways, Verleger tells Friedman and *The Economist*. "We could cut that by a third in five years if Washington were to offer tax incentives for manufacturers to produce more efficient vehicles and for consumers to buy them. Such tax cuts could be paid for with a higher gas tax, gradually phased in. Then we could replace all those American flag bumper stickers with ones that read: 'I cut my oil use by a third, how about you?'"

The logical thread from September 11 to tax increases is now getting thinner. The symbol of all that is wrong with American policy, and by implication the cause of September 11, is an SUV flying the Stars and Stripes and bearing a pro-U.S. bumper sticker. All the United States needs to do to end the terror risk and future threats to military and economic security is clean out the SUVs and raise taxes.

Both *The Economist* and Thomas Friedman weave in a couple of sub-themes related to the environment to support the tax increase plan.

North American energy consumption needs to be cut to meet the Kyoto climate change targets. So let's adopt September 11 as a good scare and seize the opportunity to push through an international agreement that otherwise has little popular support. Indeed, news reports out of Tokyo said Japan decided not to ratify the Kyoto accord because it would damage the Japanese economy. If Japan can figure that out, so can U.S. voters—unless they get bamboozled by the SUV ploy and September 11.

"The symbol of all that is wrong with American policy, and by implication the cause of September 11, is an SUV flying the Stars and Stripes and bearing a pro-U.S. bumper sticker."

All of this, of course, is the product of the real danger: addiction to taxation.

The idea that billions in taxes collected at the gas pumps can be recycled to provide subsidies to energy producers, car makers, and consumers who buy more energy-efficient transportation products is just another planning nightmare. Kyoto promises to be the greatest nightmare of them all.

The worst risk is that the auto makers and energy producers will like the idea, especially if it can be wrapped up in a package with September 11. ■

Terence Corcoran is editor-in-chief of the Financial Post. *This article first appeared in the* National Post, *which retains all copyrights.*

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CDC: Centers for Development Control?

Suburbanites know junk science when they see it

BY DAVE SHIFLETT

In a development watched closely by those of us who live beyond the city limits, doctors and researchers from the Centers for Disease Control (CDC) issued a report insisting suburban living is hazardous to your health.

This comes as something of a surprise, because the CDC not long ago issued a report saying suburbanites are the healthiest people in the nation. As a suburb dweller, I have a great deal at stake here, so I went looking for clues as to where the Truth may actually lie.

It quickly became clear that one of the study's critics may be correct: This report doesn't even qualify as junk science. It's merely junk.

Neutral scientists, they're not

The report was funded by a group called Sprawlwatch. As the name suggests, Sprawlwatch is not neutral on the question of suburban living. Far from it.

Anti-sprawl activists have many criticisms of suburbia: People live in stand-alone homes surrounded by yards, trees, and SUV-driving Republicans. Anti-sprawl types prefer it when people live in large apartment boxes full of strangers, ride buses or subways, and adhere to a literal reading of the *New York Times*.

One author of this report—Richard Jackson, identified as the CDC's top "environmental health expert"—said the report was a result of responsible people funding a paper long overdue. More to the point, he asserted, we ignore sprawl "at our peril."

Among other complaints, Jackson says suburbanites depend far too heavily on cars instead of bicycles and walking. The average Washingtonian, he glowed, walks 10,000 steps a day. "You cannot do that living in a place like Orange County."

I can't speak for Orange County, which may indeed have a law against walking 10,000 steps or more per day. After all, as some of us have pointed out, once localities began outlawing public smoking we were on a very slippery slope

But I have lived in Washington, and I seriously question the notion that the average Washingtonian takes 10,000 steps a day—which, after all, would be close to a couple of miles. For one thing, Washington's fat cats didn't get that way by accident. The city's vast population of bureaucrats mostly drive to work, ride elevators to their offices, and thereafter prop their feet on their desks till closing.

Class warfare underway?

Jackson raises further suspicions by complaining the CDC's earlier report—the one concluding suburbanites are the healthiest Americans—was, in the words of the *Los Angeles Times*, "skewed by the many affluent people in the suburbs with access to top health insurance, gym memberships, and homes near bike trail networks." Which is to say, skewed by the type of people who live in the suburbs—and who are the proper subject of such a study.

One senses a bit of class warfare may be underway, which perhaps explains the supposed cure for this offense against health: "high-density developments with a mix of homes, stores, and office space that allow for fully integrated, racially and economically diverse walkable communities."

Jackson humbly admits his report "is not yet a smoking gun. It is a policy piece. We're putting forward hypotheses and thinking about how these things contribute to the public health."

He also does some Oprah-jabber: "We are designing environments that actually restrict people's options. We need to be offering people options to take charge of their health." In other words, the anti-sprawl movement is about "empowerment."

Extreme junk

Yet it is fairly clear that anti-suburban attacks are designed to pack larger numbers of people into smaller spaces and, indeed, greatly reduce suburban living as an option. Some anti-sprawl types take their arguments to extremes.

The other day I read an article arguing that low-density housing is perfect for wife-beaters and child abusers, because their victims' screams cannot be heard by neighbors.

As mentioned above, one critic of this new report denounces it as mere junk, but the fact is these types of "studies" have a more serious—and dangerous—aim.

By saying that suburban living is not simply a lifestyle choice but injurious to health, activists bring to mind the mantra that gun deaths represent a "disease"—indeed, an epidemic. According to such an analysis, opposing the proffered "cure" is morally indefensible. Thus, directing human behavior is less a political concern—reached through consent and constitutional process—than an endeavor of medical "science."

Out here in the suburbs, we're watching these developments very closely. We have our many faults, but we can smell BS a country mile away. ■

Dave Shiflett is an author living in Virginia. This article first appeared on TechCentral Station (http://www.techcentralstation.com).

Bush announces hydrogen-cell automobile initiative

BY JAMES M. TAYLOR

The Bush administration will provide massive new funding to encourage American automobile manufacturers to research and develop hydrogen fuel cell cars, Energy Secretary Spencer Abraham announced January 9 at the Detroit auto show.

The new initiative, termed Freedom Cooperative Automotive Research (CAR), will replace a Clinton-era program that encouraged the research and development of gasoline-electric hybrid cars.

"The long-term results of this cooperative effort will be cars and trucks that are more efficient, cheaper to operate, pollution-free, and competitive in the showroom," said Abraham.

Hydrogen fuel cells work much like a battery, producing energy from chemical reactions. With hydrogen fuel cells, hydrogen is combined with oxygen, leaving water as its unused byproduct.

Clinton program rejected

In promoting hydrogen fuel cells, the Bush administration will scrap the Partnership for a New Generation of Vehicles, initiated in 1993 and championed especially strongly by former Vice President Al Gore.

After receiving $1.5 billion in federal funding, the Partnership program was nowhere near its goal of making family-size sedans capable of getting 80 miles per gallon commercially viable by 2004. In addition to the $1.5 billion in federal funding, the Big Three auto manufacturers—General Motors, DaimlerChrysler, and Ford—had spent about $1 billion per year of their own money on related technologies.

The decision to discontinue the Partnership program has been styled a decision to cease throwing good money after bad. However, there are no guarantees that the newly announced initiative will fare any better than the old one. While automobile manufacturers, labor unions, and environmental activist groups have all touted the future potential of fuel cells, commercially feasible hydrogen fuel cell cars are likely to be decades away, if they prove feasible at all.

There is also no guarantee that the next administration will not do the same thing to CAR that the Bush administration is doing to the Partnership. Even so, Abraham and the automobile manufacturers expressed optimism regarding the new program.

"What I can do as energy secretary is promote research into energy efficiency," said Abraham. "With respect to fuel-efficient vehicles I had three choices: first, continue with [the Partnership], a $1.5 billion program universally recognized as nowhere near producing a car that anyone would want to buy. Second, pull back all research money in this area; or third, propose a program to create a new car engine that uses no petroleum and emits no pollution. We chose the third course: hydrogen fuel cells suitable for all vehicles that can move us beyond fossil fuels and free us from dependence on imported oil. Such a vehicle can be a reality and would indeed be my dream car."

Infrastructure issues loom large

The Big Three auto manufacturers believe hydrogen fuel-cell vehicles can be in showrooms by the middle of the decade. However, widespread commercial availability will be hampered by a national infrastructure of gasoline pumps, service stations, etc., geared toward gasoline-powered engines rather than hydrogen fuel cells.

Byron McCormick, GM's executive director for fuel-cell activities, said infrastructure advances will be critical to the timeline and success of fuel cell automobiles. "The more certain we are about the infrastructure, the more aggressive we can be about the cars," said McCormick. "Bottom line: (the government is a) huge force in what we're talking about."

As if on cue, just two days before Abraham's announcement General Motors unveiled a new fuel-cell concept car at the Detroit auto show. The car, called the Autonomy, has all of its essential elements in a small chassis under the body of the vehicle. The chassis can be fitted to a wide variety of automobile bodies, giving its owner the flexibility of buying a small sedan and later inexpensively upgrading to a minivan with the same chassis.

Moreover, because the internal combustion engine is gone and vehicle controls can be operated by electronic wires rather than mechanical connections, auto designers are free to create entirely new concepts of automobile design.

"This is more than just a technological or design experiment," said Larry Burns, GM vice president of research and development planning. "Our end goal is nothing short of reinventing the automobile."

"From a design perspective almost all restraints are gone," added Wayne Cherry, GM vice president of design. "No one ever said before, 'Let's take a clean sheet of paper and design a fuel cell.'"

The theory sounds appealing, but automobile manufacturers have a lot of work to do to produce a real-world product that will match their optimistic vision. ■

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Abraham selects Yucca Mountain; political, legal battles begin

BY JAMES M. TAYLOR

Energy Secretary Spencer Abraham announced on January 11 he will officially recommend Yucca Mountain in Nevada as the permanent storage site for the nation's spent nuclear fuel.

"The science behind this project is sound, and the site is technically suitable for this purpose," said Abraham. "There are compelling national interests that require us to complete the siting process and move forward with the development of a repository, as Congress mandated almost 20 years ago."

In making his announcement, Abraham gave Nevada Governor Kenny Guinn the 30 days' advance notice required before the Energy Secretary officially recommends the site to President Bush.

If, as expected, Bush agrees with the energy secretary's favorable assessment of Yucca Mountain, Bush will then recommend the site to Congress. Nevada is expected to exercise a veto over the site selection, which will prompt Congress to take a simple-majority vote in the House and Senate to either uphold or override Nevada's veto.

The Yucca Mountain site is expected to be approved by the Republican-controlled House, but confirmation in the Senate is less certain. Both advocates and opponents of the site claim they will prevail in the Senate vote.

Guinn promised that even if the site is approved by the House and Senate, he will file a number of lawsuits to try to block the proposal.

"I explained to him (Mr. Abraham) we will fight it in the Congress, in the Oval Office, in every regulatory body we can," said Guinn. "The fight is far from over."

"I told the secretary that I think this decision stinks," Guinn added. "The whole process stinks and we'll see him in court."

A dozen years behind schedule

The plan to consolidate the nation's nuclear waste in a single central storage facility is already significantly behind schedule. Legal and scientific challenges have hampered the search for a permanent storage site since Congress first authorized the effort in 1982. According to the 1982 legislation, the Energy Department was supposed to begin accepting nuclear waste from various utility companies in 1998.

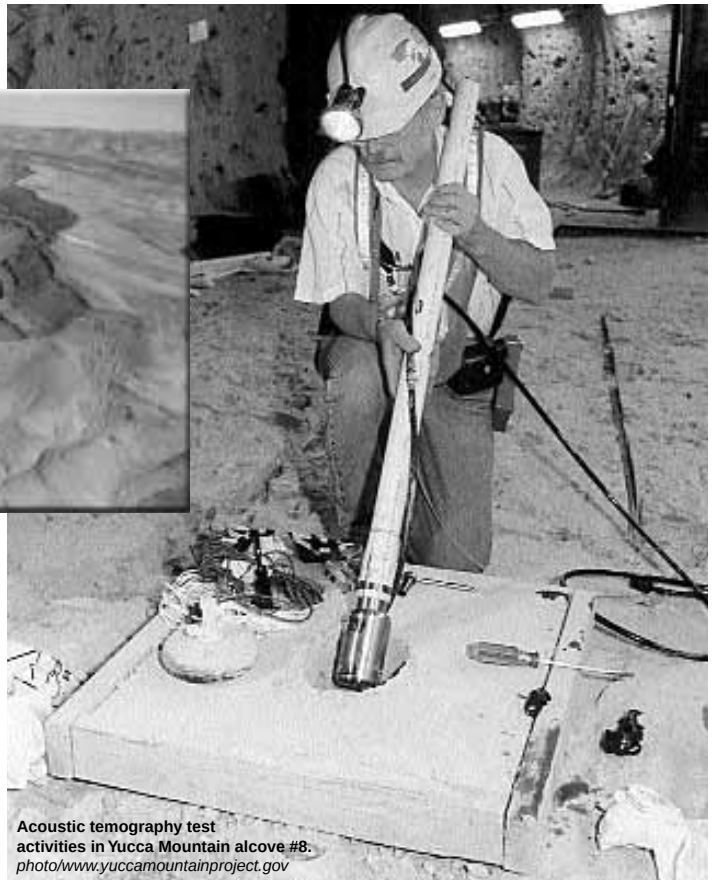
By formally recommending the Yucca Mountain site, Abraham is hoping to make the facility operational by 2010.

While the political and legal processes drag on, individual power companies across the country are temporarily storing spent fuel in their local facilities. Many of these companies are running out of space to store the waste. Moreover, temporary storage raises numerous safety concerns, which have increased since the September 11 terrorist attacks.

House Speaker Dennis Hastert (R-Illinois) noted the federal government has already spent $7 billion researching and preparing the Yucca Mountain site. Moreover, Americans have been paying an electric utility tax since 1983 to build the facility "with little to show for it."

According to Hastert, the opening of the Yucca Mountain facility has been obstructed by "left-wing political grandstanding" that has "prevented the government from moving forward on a centralized, safe storage location for nuclear waste sooner than today."

Added Hastert, "Secretary Abraham's sound decision will finally enable us to take a necessary step forward and get something back on the billions of dollars invested over the years for our families, our environment, and the future use of a safe and viable energy source."



Acoustic temography test activities in Yucca Mountain alcove #8. *photo/www.yuccamountainproject.gov*

Legal wrangling ahead

In addition to political lobbying in the House and Senate, Yucca Mountain opponents are mounting legal challenges to the plan.

Late last year, the Department of Energy (DOE) changed its rules for assessing the safety of a nuclear waste storage site. The new rules, effective December 14, allow the Department to meet EPA safety requirements through a combination of natural and man-made barriers. Prior to December 14, the DOE was committed to demonstrating that natural barriers alone could provide the protections necessary to meet EPA's safety requirements.

Nevada officials, who have consistently opposed the designation of any nuclear storage facility in their state, argue that when Congress authorized the search for a permanent nuclear waste storage facility, it explicitly contemplated that geological features constitute the primary defense against radiation leakage.

"The notion that geological features must be the primary form of containment is explicitly required" by the 1982 legislation, argued Guinn. He further asserted that under the DOE's new rules, an allegedly viable storage site could be constructed "on the shores of Lake Tahoe" or in a Washington, DC federal office building.

"The Department should not be evaluating the suitability of the site based on rules that were transparently reconfigured at the eleventh hour because DOE could not meet the statutory demands of Congress nor the scientific recommendations" of other agencies, Guinn insisted.

Countered DOE spokesperson Joe Davis, "We're not relying specifically on engineered barriers to meet the regulations. We are looking at the scientific evidence of both the geological and engineered barriers together to determine the site's suitability. One doesn't outweigh the other. They both work hand in hand."

No alternative in sight

Few people recommend that spent nuclear fuel be permanently stored in facilities scattered around the country. However, if the Yucca Mountain site is not approved for permanent storage, it will likely be decades, if ever, before an alternate site is approved.

Since 1983, when Yucca Mountain was identified as the best possible location for such a storage site, the government has been studying no other locations.

Proponents of the site hope bipartisanship will prevail over political wrangling. The bipartisan Yucca Mountain Initiative, sponsored by the U.S. Chamber of Commerce, praised Abraham's selection of the Yucca Mountain site.

Former Republican Governor John Sununu of New Hampshire and former Democratic vice presidential candidate Geraldine Ferraro of New York, on behalf of the Yucca Mountain Initiative, issued a joint statement calling Abraham's action "an appropriate response to issues emanating in light of September 11."

"Today's action by the secretary triggers a decisive step forward towards meeting our generation's responsibility for the stewardship of used nuclear fuel and defense waste," the statement said.

Local community split on Yucca Mountain site

Congressional Democrats and Nevada politicians of both parties have generally opposed the selection of Yucca Mountain for the permanent storage of America's spent nuclear fuel. However, citizens of Armagosa, the closest town to the Yucca Mountain facility, are split in their opinion of the proposal.

"That ground's contaminated anyway," said Virgil Bendix, 73-year-old retired firefighter and Korean War veteran. Bendix noted that for 40 years, Armagosa residents would watch mushroom clouds erupt over the horizon during nuclear weapons tests. Bendix found it difficult to believe that the nuclear waste storage facility, with all its protections, would materially worsen an area that had been subjected to open-air nuclear radiation for four decades.

Armagosa residents are "red, white, and blue out here," said Bendix. He expressed no opposition to the facility "as long as it doesn't screw up the water."

"People are so blasé," added Doris Jackson, a local saloonkeeper and the town advisory board chairperson. "They've lived next to the test site all these years."

Although Jackson opposes the facility, she concedes that "Most people are for it. They say we need the money. They need the work."

In light of the region's nuclear past and the extraordinary protections designed for the proposed storage facility, most facility opponents object to the facility for tangential reasons.

"What I'm worried about is nuclear traffic," said VFW post bartender Anne Davidson, referring to the 70-mph highway that leads to the facility. "We've got senior citizens who don't drive more than 40 miles per hour. Trucks already come down that road. It'll only increase."

Ed Goedhart, a town advisory board member, opposes the site because of the effect it might have on the image of his organic dairy and alfalfa farm.

"My issue isn't so much the water," said Goedhart, "it's the perception. Would you want to buy products from the Armagosa Valley?"

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